

# Hawaiian Gazette.

VOL. XXXVIII, No. 92.

HONOLULU, H. T., TUESDAY NOVEMBER 10, 1903—SEMI-WEEKLY.

WHOLE No. 2537.

## CARTER AND COOPER DIFFER SHARPLY ABOUT RECENT LAND TRANSACTIONS

**Lively Scenes in the Executive Council—Carter Can't Find Out How Deeply the Territory is Involved by Cooper's Private Agreements—Cooper Will Give Him No Further Information—Territory vs. Counties.**

The big raft of land exchanges proposed by H. E. Cooper, Superintendent of Public Works, as exhibited in Sunday's Advertiser, struck a series of snags in the endeavor to bring it into the port of confirmation yesterday. All of the propositions grounded at low water and there was no almanac in the capitol to show when the tide would rise high enough again to float any of them.

Several prominent negotiators for public land in exchange for land desired for street purposes and public building sites attended the meeting of the executive council, those present being: Governor Dole, Secretary Carter, Superintendent Cooper, Treasurer Keppel, A. T. Atkinson, Superintendent of Public Instruction, Dr. C. B. Cooper (President of the Board of Health), Land Commissioner Boyd, Tax Assessor Pratt, Private Secretary Hawes, Wm. G. Irwin and W. M. Giffard of W. G. Irwin & Co., Trustee W. O. Smith and Surveyor F. S. Dodge of the B. P. Bishop estate.

The first matter submitted was side-tracked after a short discussion, because Commissioner Boyd had not an opportunity of investigating the public lands proposed to be exchanged. This was the matter of an exchange of the Pololu land, Kohala, and Pauoa taro land, Oahu, with the Bishop estate, for a piece of land at Nuuanu avenue and Pauoa road wanted for a public park. Governor Dole asked if there was any occasion for haste on the part of the Bishop estate. Mr. Smith answered that the land desired for a park was being filled in, and if taken by the Government the expense of such improvement would have to be considered. If not taken, it would probably be sold as house lots. The Governor deferred the matter until the Land Commissioner should report on the value of the Pololu land.

### ARMORY AND SCHOOL.

Next came the proposal of acquiring the land at Beretania, Miller and Vineyard streets for the N. G. H. armory and Royal school sites—though Superintendent Atkinson understood it was the Normal not the Royal school—in exchange for Alea land forming part of the Honolulu plantation on a basis of \$45,000 valuation for each property. The town premises were bought at auction on Saturday last by W. G. Irwin from the trustees of Oahu College at the upset price of \$45,000.

Mr. Cooper read a letter from the Honolulu Plantation Co., giving figures to show the value it put upon the land.

The area of the land proposed to be given by the government was 1175 acres.

### BREAKERS AHEAD.

Mr. Carter at this stage intervened to inquire why the seeming haste in trying to conclude these land exchanges. He also asked for further explanation of the \$45,000 basis. Replying on the latter score, Mr. Cooper said the basis was reached on a consideration of the general status of the land and surveys. Mr. Carter commented further upon the seeming haste, saying he could not see the necessity for such a rush as the administration was about to change. He spoke of similar matters having been put through in haste before, causing dissatisfaction to taxpayers. It appeared to him that the attitude of the retiring administration toward the incoming one showed a lack of confidence. Mr. Carter attributed to Mr. Cooper an expressed idea that he considered the interests of his department ahead of the interests of the taxpayers.

It may here be recalled that Secretary Carter, some time before he last went to Washington, made public his opposition in the executive council to the system of land exchanges on a large scale which Superintendent Cooper had inaugurated.

### COOPER DEMURS.

Mr. Cooper demurred to the term "rush." It was not a case of rushing matters. For several months after he took office he was snowed under with unfinished business his predecessors had left. There was no surprise about the present matters, they having been under consideration for a long time.

Mr. Carter insisted that the Alea land matter was new so far as the armory site was concerned, which Mr. Cooper admitted, and then the Secretary said he had been trying for some time to get a statement of the financial condition of the Territory. He contradicted a remark of the Superintendent that the latter had nothing to do with the finances, going on to protest against the disposal of revenue-paying lands for armory and school sites. The retiring Superintendent of Public Works might leave as much unfinished business as he pleased, so far as the new administration was concerned.

### THE GOVERNOR INTERVENES.

Secretary Carter having referred to an esplanade land transaction as another one being rushed, Mr. Cooper said it had been pending for six months past. Governor Dole remarked he thought it was not correct to speak of rushing that matter, as it had been under consideration long before anything was known of the coming change of administration.

A running debate ensued, the Governor replying that he had not a thorough knowledge of the matter.

(Continued on page 5.)

## SECRETARY CARTER'S STATEMENT.

"There are all kinds of rumors of what occurred in the Executive Council meeting today," said Mr. Carter yesterday afternoon. "I desire to state for the benefit of the public, that what I am endeavoring to get at is the actual financial condition of the Territory as it stands today. Governor Dole feels that he has sufficient data to guide his actions, but I do not share this feeling yet. Here is an illustration. I asked the Superintendent of Public Works to give me a statement of those contracts and other matters which he had entered into and which affected the moneys to be received from the sale of the Territorial bonds. I did not receive the information asked for, and reminded Mr. Cooper about it, and asked him if he would not be kind enough to let me know before anything else was done. I thought it only fair to the new administration to not go ahead on such matters without my knowledge."

"At the meeting this morning Mr. Cooper read a statement of all the contracts made by his department. Only two of these affected the Loan Bill. These were the storm drains and the Diamond Head reservoir. Under the County Act, it was the desire of the Legislature, and I think it was with the universal approval of the people of this Territory, to turn the water works over to the counties as well as the sewerage systems. If this is to be done it seems to me a wrong policy to spend the money which future taxpayers will have to contribute towards the interest, and eventually pay the principal, on public improvements which become an asset of the county. The million dollars negotiated on the loan should be expended for the benefit of the Territory as a whole, not for the County of Oahu, or for any other county. I asked Mr. Cooper if this was the only thing and I also asked why he did not include in current expenses his arrangements with steamship companies by which they are to pay the money for building the wharves they need and get in return warrants drawing five per cent interest. He replied that he had not entered into any agreement yet for these wharves."

"Since the meeting today, I was stopped on the street by Mr. Low of the Honolulu Plantation, and he informed me that the road boards in his district were shut off from further road work on account of lack of money. Since then on the written instructions of Mr. Cooper they have proceeded with their work with the distinct understanding that they would be reimbursed out of the loan fund money. If that proceeding is to be stopped it is only fair to let plantation managers know so they can cease furnishing money."

"It is just such private agreements which obligate the government, and which are not included in official statement, that make me lose confidence and gain doubt as to whether we really know the financial status of the Territory."

"I want to get at the facts and find out just the condition we are in before I can reach a conclusion that the Territory can afford to give up the revenue of cane lands and exchange them for a \$45,000 armory site. I don't know how many more such arrangements are in existence and what kind of propositions Mr. Cooper's successor will be up against."

"There is apt to be confusion in the minds of many as to what should be county affairs and what should be Territorial affairs, and if we begin to mix them we will get into an interminable tangle and county government won't be a success."

## SUPT. COOPER'S STATEMENT.

Superintendent Cooper, after the exchange of notes with Secretary Carter, said to an Advertiser reporter:

"My advice to the contractors for the storm sewer (Lord & Belser) is to complete the contract and make their claim thereon to the Territory. The work is completed from King to Beretania street, and there only remains the section from Beretania to Kinau street to finish."

"I have not seen the contractor for the Diamond Head reservoir (L. M. Whitehouse), but have notified him by message of Mr. Carter's attitude. My advice to him, if he refers the matter to me, will be to go ahead with his contract."

"Mr. Carter said it was a question of law, then one of policy, and again of common sense. I do not know which of these ideas will prevail."

"My contention is that the county has no right to the water works. The Territory has no call to donate half a million dollars' worth of water works plant to the county of Oahu, nor the electric light works, nor the sewers. The roads as a matter of course go over to the county, but the revenue of the water works and of the electric lights belongs to the Territory."

"This trouble arose from the Secretary's action on the mainland in arbitrarily changing the date of opening the bids for bonds from October 19 to November 19. I made all my plans for loan fund expenditures to fit the first date. The Treasurer cabled the advertisement for bids to the Secretary. I knew we had a bid from Pollitz & Co., for the entire issue, so that I felt perfectly safe in going ahead with public works."

After replying to questions to the foregoing effect, Mr. Cooper intimated that he intended to administer the Department of Public Works until his retirement, and would not recognize Mr. Carter as other than Secretary of the Territory until he became in fact the Governor.

## ARMY MEN TO VISIT VOLCANO

The Kinau will take quite a party today bound for the Volcano House, among the number being Col. Alexander Mackenzie, U. S. A.; Major Henry B. Moon, U. S. A.; Major William E. Birkhimer, U. S. A.; Mrs. Birkhimer, Captain George W. Read, U. S. A.; Major William B. Davis, U. S. A.; Captain George McK. Williamson, U. S. A.; William Taylor, John Hill, Mrs. Tom Hollinger, R. H. Topham, Mrs. R. H. Topham, Gordon McLean, Mrs. Gordon McLean, W. H. Wilburn.

## CONSUL HOARE HONORS HIS KING

His British Majesty's Consul, W. R. Hoare, held a reception yesterday from 11 a. m. to 1 p. m. at the Consulate in honor of the birthday of King Edward VII. The Hawaiian government band was present and played on the lawn under the trees. The reception was largely attended, among the guests being the representatives of foreign countries, government officials and prominent townsmen. Consul Hoare received the guests wearing the gold laced uniform of his rank. Light refreshments were served.

## GOVERNMENT WILL AID GEN. REYES' PEACE POLICY

**Balfour Thinks There Will Be No War Between Russia and Japan.**

(ASSOCIATED PRESS CABLEGRAMS.)

WASHINGTON, Nov. 10.—The Government will facilitate General Reyes' peace mission.

COLON, Nov. 10.—The Government intends to adopt a gold currency.

The French, British and German consuls have addressed a letter of gratitude to the commander of the U. S. S. gunboat Nashville for his protection of their countrymen during the recent troubles.

LONDON, Nov. 10.—At the great banquet given in honor of the King's birthday, Prime Minister Balfour expressed himself as sanguine that there would be no war in the Far East.

The Premier regretted the Alaskan decision but most loyally accepted a settlement of so vexed a question by a tribunal as an inestimable boon.

DENVER, Co., Nov. 10.—Ten thousand coal miners of Colorado are on a strike for eight hours and an increase of pay. Many of the strikers are leaving for other fields and those who are compelled to stay are threatened with famine. Many industries are threatened.

SAN DOMINGO, Nov. 10.—A gunboat is bombarding Mucoris, which is occupied by revolutionists.

HAVANA, Nov. 10.—A train crashed into an omnibus here. Five persons were killed and seven injured.

VIENNA, Nov. 10.—Several officers have been arrested in Bulgaria for threatening the life of Prince Ferdinand.

ST. PETERSBURG, Nov. 10.—Turkey's reply to the Austro-Russian note is unsatisfactory.

WASHINGTON, Nov. 9.—The Colombian minister has presented to the State Department a strong protest on the part of his government against the action of the United States in Panama. Objection is made to the landing of marines on the isthmus and a still more vigorous protest against the recognition of the revolutionists and their government. A further objection is to the sending of the American fleet to patrol the isthmus, thus preventing a landing by the Colombians. Secretary Hay has not sent his reply.

## LEGISLATIVE INVESTIGATION WILL AWAIT DOLE'S COMMISSION

Members of the legislature from Maui and Kauai came in on yesterday's steamers in response to a summons from the United States grand jury. The House members are called to testify as to some of the scandals which were continually cropping out during the regular and extra legislative sessions as well as to the whereabouts of the missing vouchers. In view of the sudden death of Judge Estee however, the members of the House who are here, will be allowed to return as there will be no session of the grand jury until after Governor Dole's commission as Federal judge arrives from Washington.

The commissions of both Gov. Dole and Secretary Carter, as Governor, may possibly get here on the Alameda next Friday. The announcement of the appointments were made by President Roosevelt on October 31st, and it is the presumption that the commissions were made out and started on their journey at once. This would allow ample time for the commissions to get here on this week's steamer and the inauguration of Governor Carter could take place early next week. Gov. Dole will take his place as Federal judge immediately and the business of the United States court will then be renewed. The commissions which will arrive now will probably be only until the Senate meets, new commissions being made out as soon as the appointments are confirmed.

Judge Dole will probably receive a report from the Federal grand jury almost as soon as he takes his seat. Quite a number of indictments are reported to be ready in the Japanese slave cases. The new judge may also deem it advisable to give the jury additional instructions.

The legislative investigation will very likely be postponed for at least one week. In the meantime Marshal Hendry will subpoena the Hawaii members of the House to come to Honolulu to testify. One of the most important members in connection with the voucher investigation is from Hawaii. This is Representative Purdy, chairman of the Committee on Accounts, who may know where the vouchers are. Vice-Speaker Knudsen arrived from Kauai yesterday. Representative Randall is already here, and Kaili and Jaeger are also said to be in town. Representative Kellinui and the remaining Maui members are also on hand. Speaker Beckley has been here for some time and the House officials are nearly all residents of Honolulu. The services of none of these men will be required by the grand jury for at least a week and members from the other islands will be told today by District Attorney Breckons that they may return home for at least a week.

## WILCOX'S ITALIAN UNIFORM CLAIMED BY HIS WIDOW

In a cabinet in the parlor of Mrs. Theresa Wilcox's home on the slopes of Punchbowl, there are a number of mementos of the late Robert Wilcox, which his widow highly prizes. Among these are the uniform cap, epaulettes, sword belt, cartouche, and other paraphernalia belonging to the full dress equipment of an artillery officer in the Italian army. These were worn by Wilcox during and after his graduation from the Italian military school at Turin, where he had been sent by King Kalakaua to be educated. But there is one of his uniforms which passed from Wilcox's possession during the revolution of '89.

"I intend to ask the Hawaiian Government to return his uniform and sword to me to be kept for his children. Mr. Wilcox is dead, and I can see no reason why my request could be refused. They are now of no use whatever to the Government."

When Wilcox was made a prisoner during the revolution of '89, his uniform and sword were taken from him, the Italian Consul here raising the point that Mr. Wilcox had no right to wear an Italian army uniform, which he wore when discovered in the gas tank. Mrs. Wilcox does not now know where the uniform is kept, or what disposition was made of it.

It is believed that the uniform was sent back to Italy by the Consul.



## MR. COOPER EXPLAINS PROPOSED LAND DEALS

Land at Pololu, Kohala, and taro land H. E. Cooper, Superintendent of Public Works, yesterday gave an Advertiser reporter a statement of the land exchanges he intends to submit to the executive council tomorrow. He has requested Governor Dole to convene the meeting in special session for this purpose at 9 o'clock in the morning. The requisition for the public lands in question was sent to E. S. Boyd, Commissioner of Public Lands, yesterday morning. Following is the schedule of transactions proposed:

In Pauoa, Honolulu, to be exchanged for land at Nuuanu avenue and Pauoa road wanted for a public park. This proposition has been previously approved by the council.

A lot at Beretania, Miller and Vineyard streets is wanted as sites for the N. G. H. army and the Royal school building. The land proposed to be given in exchange therefor is at Alea, being part of the Honolulu plantation. The basis of exchange value is \$45,000 on each side, though the trustees of Oahu College last year paid \$65,000 for the city lot.

An exchange of the lease held by the trustees of the Lunalihi Estate, with three years to run, of land in Queen street containing the building occupied by the California Feed Co., for a lease of Government land on the mauka side of Queen street formerly occupied by the Honolulu Iron Works. At the expiration of three years the California Feed Co. is to have a lease for 21 years upon a lot approximately sixty feet by ninety-three feet at an annual rental of \$600. The company is to erect thereon a building, to cost not less than \$7000, which will become the property of the Government at the expiration of the lease.

An area of between 5000 and 6000 square feet required for the extension of Smith street is wanted from the Dowsett Estate in exchange for a similar area in Queen street formerly occupied by the Honolulu Iron Works.

The block of land bounded by Mill-lani, Queen and Richards streets and Capitol square, with the exception of the Opera House lot, containing an area of 110,875 square feet is desired in exchange for the public lands of Kalopapa, Kaunamano, Kawaia, Aemalo, Kalaikiki and Hionaa, in Hamakua and Kau districts, Hawaii. The town prop-

erty sought in this exchange is what W. G. Irwin has already been reported in the Advertiser as valuing at \$200,000. The Weloka kula land at Pearl Harbor is proposed to be exchanged for land required to widen and extend Kaaka street.

Finally, the transfer of the Waimanua land, containing 700 acres, to the Board of Health as a site for the new Insane Asylum will be submitted for confirmation.

Superintendent Cooper denied that there was any secrecy intended about the various land exchanges proposed. Nothing but preliminary negotiations had taken place and he had only notified the Commissioner of Public Lands of the proposals that morning.

"They will be submitted to the executive council for the first time on Monday morning," Mr. Cooper said, "and, so far as I am concerned, I have no objection to allowing members of the press to attend the meeting and report the discussions."

"I agree with the principle of what the Advertiser has said about publicity in matters of Government business. Certainly I have never kept back from publication the doings of this department, but in the matter of these land exchanges, as I have said, there has been nothing done beyond negotiating the preliminaries."

"With regard to my desire for having these things concluded before I go out of office, it must be remembered that some of them have been matters of many months of negotiation. If left to a new regime they would require going all over again. It is not through any lack of confidence in the coming administration that I wish to have the business consummated, but because I desire to leave as little unfinished business as possible to my successor. I want him to have a free hand to tackle his new work. The whole matter is on a par with a case argued and submitted before a judge who was about to retire. It would be very desirable for the parties to have a decision before he retired."

From the mention in the above schedule of land exchanges of the purposes for which the old Miller premises are wanted, it is seen that the Government has heeded the objections raised in the Advertiser to placing the N. G. H. armory close to the Judiciary building grounds.

## MAUI AND HAWAII APPROVE OF DOLE AND CARTER

The appointments by President Roosevelt last week are entirely satisfactory to a majority of the people who have interests in Hawaii, says the Hilo Herald. If straws indicate the direction of political winds Mr. Carter was recognized as the logical successor to Governor Dole and his advancement to the highest Territorial position was a question of but a few months. He has been a favorite of the President for some time and he is one of the same stamp as others who have received favors at his hands. Mr. Carter is a young man but full of experience. He may be impetuous, but then the same has been said of President Roosevelt. He is a "college boy" and a believer in the strenuous life in both of which he resembles the chief executive of the United States. People who know Mr. Carter believe he will make an ideal American Governor. In some matters he may be aggressive but that is a quality in which the Territorial chief executive should not be lacking. Mr. Carter, strange to say, belongs to what is unjustly termed "the missionary crowd." In other words he is an attendant at church services and that is all it takes in Hawaii to make a missionary. But in spite of this he has been selected to fill an exalted position. Evidently all that has been said in the opposition press against the missionaries has had no weight with the President. This fact is more strongly emphasized in the selection of Governor Dole to succeed the late Judge Estee. No stronger endorsement of the governor's administration can be framed and the selection will prove satisfactory beyond any question. As Associate Justice Mr. Dole made a record as a jurist and that record is undoubtedly known in Washington and to this his record as an executive during the past ten years made it easy for the President to decide who should be Federal judge.

### AS VIEWED IN MAUI.

The appointment of Governor Dole to the Territorial Federal judgeship and of George R. Carter as Governor of the Territory is the highest compliment which President Roosevelt could have paid to the Territory, in this that both gentlemen are Island men. And both appointments are good ones. Governor Dole will make quite as able a judge as our late lamented Judge Estee, and the News in all kindness suggests that our new judge emulate our former judge in his broad and advanced American ideas. While the News would, as a politic measure, and one of poetic justice, gladly have hailed the appointment of a competent Hawaiian as governor, still George R. Carter is an able, honest and progressive man, and still better, is in close and friendly touch with the authorities at Washington and with the business men on the mainland, and for this reason is entitled to the utmost confidence of the people of the Territory.—Maui News.

## DOLE AND CARTER APPOINTED.

WASHINGTON, Oct. 31.—The President today made the following appointments:

Sanford B. Dole, to the United States District Judgeship for Hawaii to succeed the late Judge Morris M. Estee.

George R. Carter, Secretary of Hawaii, to be governor of the same, to succeed Governor Dole.

## CHINESE DOWAGER IS AFRAID OF TROUBLE

PEKIN, Nov. 9.—The old Empress Dowager is making preparations for a hasty flight. She fears trouble in the present difficulties between Japan and Russia.

## NO LAW FOR CONTESTS

### Home Rulers Have No Remedy in the Courts.

In the opinion of different gentlemen learned in the law, there is no legal provision extant in the Territory of Hawaii for contesting an election, county or other. It is true that the County Act contains the following provisions:

"Section 454. Save as herein otherwise provided, any candidate for any county office may contest any election therefor in the manner provided by law."

"Sec. 455. In all contests relative to county officers, the petition required by law to be filed in the Supreme Court shall be filed in the Circuit Court in such county, and such Circuit Court shall have such jurisdiction relative to such contests as is given to the Supreme Court by law. It shall report its finding and judgment relative thereto to the Board of Supervisors of the county, which shall have the same powers relative thereto as are by law vested in the Minister of the Interior."

So far so good. But it appears the "law" quoted to govern elections and contests thereof does not exist.

The Organic Act, in Sec. 7, expressly repeals the constitution of the Republic of Hawaii and a large number of "acts, chapters, and sections of civil laws, penal laws, and session laws" of said Republic. Among these laws repealed by the Act of Congress aforesaid is the entire election law of the Republic of Hawaii. The Legislature of the Territory, it would appear, has never enacted a complete substitute for the election law thus repealed. It would therefore seem that the certificates of election issued upon the face of the returns by the Secretary of the Territory are final and not legally subject to review by any tribunal in the Territory.

According to the Bulletin, the Home Rulers of Oahu county have "decided to file papers of protest against the recent county election on Monday next," and it is further stated by the same authority, that:

"The intention is to go directly to the Supreme Court. No demand for a new election will be made. A recount is what is desired."

"While the papers have been drawn up, some slight changes are necessary and it is thought that Monday will be plenty of time for the filing of these. The Home Rulers are proceeding very slowly, as they desire to leave no stone unturned."

How the Home Rulers can go directly to the Supreme Court, is the face of the County Act's specific direction that the petition shall be filed in the Circuit Court, requires a home rule mentality to comprehend. It is perhaps not so difficult, though, as the problem of how any petition can be filed anywhere, as "required by law," while there is no law requiring a petition to be filed anywhere.

The County Act provided for county elections, and specifically for the first one just held, therefore is a law unto itself so far as the legality of the election is concerned. In matters where it adopts parts of the laws repealed by the Organic Act, however, it is non-effective.

## KAUAI'S ELECTION STILL IN DOUBT

The election on Kauai is still in doubt owing to the failure to receive the result of the vote on Niihau and up to the time the W. G. Hall left Niihau no news had been received from there. The only office left in doubt was that of county attorney, for which J. D. Willard was the Republican aspirant. He was 23 votes behind the Home Rule candidate.

Niihau has about 33 votes, but it was believed that several of the voters were on the island of Kauai at the time of the election, and therefore the number of votes cast is speculative. It is believed that the majority of these votes will be cast for Willard, but a defection of three or four votes would destroy his chances.

The weather in the Niihau channel has been very rough for the past week, and no boats have ventured to cross it. When the weather quiets down the news will be received.

## OLD BILL TURNS UP AT THE TREASURY

One of the earliest greenbacks issued by the government of Hawaii was recently turned into the Territorial treasury or redemption. It was a fifty dollar certificate of deposit and was given to the Bank of Hawaii in change and then turned over to Treasurer Keopokal. The certificate is believed to have been one of the first issued by the government in King Kalakaua's time. It bears no date but is signed by Simon Kapena as Minister of Finance and F. S. Pratt as Registrar of Public Accounts. These officials served in the early eighties.

Very few of these bills have been turned in lately for redemption. Altogether there was an issue of \$312,000 which was redeemable in silver. Of this amount all but \$3000 has been redeemed and it is believed that the remainder will never be offered for redemption. The most plausible theory is that the greater part of the money still unredeemed was destroyed in the Chinatown fire.

## FITCH'S FEE CASE HEARD

### Campbell Trustees Demur to Com- plaint.

The motion to dismiss the writ of error in Fitch vs. Watson was argued and submitted before the Supreme Court yesterday. W. S. Fleming appeared for plaintiff, and defendant in person. The matter is that of Thomas Fitch's fee in the guardianship of Rebecca Panee Bishop.

### DEFAULT DECREE DENIED.

Judge De Bolt denied the motion to strike defendant's second demurrer from the files, and for a default and decree pro confesso against the defendant, in the case of Kapiolani Estate, Ltd., against Mary H. Atcherley. He overruled the demurrer instead, allowing the defendant fifteen days within which to answer. Kinney & McClanahan for plaintiff; Dickey for defendant.

In the case of W. O. Smith et al., trustees, vs. Emmett May, Judge De Bolt sustained the demurrer of plaintiff to set-off and allowed plaintiff five days within which to file proper pleadings.

Judge De Bolt continued, until moved on, the case of Keahi vs. Niau Iaukea et al.

### MASTER OVERRULED.

Judge De Bolt appointed M. R. Counter, George Lucas and William Savidge appraisers of the estate of August Kraft, deceased. He also confirmed the accounts of W. L. Howard, administrator, and, contrary to the recommendation of J. A. Matthewsman, master held the attorney's fee of \$200 to be reasonable. The master was allowed a fee of \$40. P. L. Weaver appeared for the administrator, and Thayer & Hemenway for the heirs.

### BILLS OF COSTS.

Judge De Bolt yesterday allowed plaintiff's bill of costs at \$107.50 in the quieting title case of Margaret Cullen vs. T. F. Lansing, overruling defendant's objections to certain charges. Robertson & Wilder for plaintiff; Watson for defendant.

Judge De Bolt taxed the bill of costs against defendant in the suit of David Kawanakoa et al vs. Lulla (w) at \$37.25.

### CAMPBELL ESTATE SUIT.

Robertson & Wilder have filed a demurrer of defendants to the complaint of Kailua (w) vs. Abigail K. Campbell Parker, Joseph O. Carter and Cecil Brown, trustees of the estate of James Campbell, deceased. They claim that James Campbell named in the bill is a necessary party defendant, but plaintiff has not made him a party. The bill is said to be multifarious in seeking relief for several distinct matters and causes, in many whereof the defendants are not interested. Further, it is alleged that plaintiff has not stated such a cause as does or ought to entitle her to any such discovery or relief as is thereby sought from or against the defendants. This is the case in which complainant alleges the late James Campbell forced her to sign a deed in Cecil Brown's office.

### BALLOU'S DESK TELEPHONE.

A demurrer has been filed by Smith & Lewis for defendant to the bill for injunction of Sidney M. Ballou vs. Mutual Telephone Co., Ltd. It sets forth:

"That said petition is ambiguous in this, that it does not appear therein, neither can it be ascertained therefrom, whether or not said petitioner's telephone service was at the date of the filing of said petition and issuing of the temporary injunction prayed for in said petition, or now is, connected with the telephone service of said defendant."

"That said petition is uncertain on the grounds wherein it is alleged to be ambiguous."

"That said petition is unintelligible on the grounds wherein it is alleged to be ambiguous."

"That said petition does not state sufficient cause or ground for action or relief in that it does not appear therein that said petitioner has offered or tendered any sum of money or valuable consideration for the rental and use of the desk telephone alleged to have been installed in petitioner's residence as set forth in said petition."

"That said petition does not state sufficient cause or ground for action or relief to entitle said petitioner to any remedy by way of injunction."

### MISCELLANEOUS.

William Blaisdell has filed his bond in \$5500, with Jas. F. Morgan and Frank J. Kruger sureties, as commissioner to sell lands mentioned in a decree of Judge Robinson in the suit of Kapiolani Estate, Ltd., and Allen & Robinson, Ltd., vs. R. William Holt and Geo. H. Holt. He has also taken the oath as commissioner.

In the matter of the estate of Morris M. Estee, deceased, Judge De Bolt granted the petition of J. J. Dunne, administrator, for a commission to issue to Charles A. Shurtleff, attorney at law, San Francisco, to take the testimony of Geo. G. Carr and W. H. Sigourney.

It is stipulated in the assumpsit suit of Thomas S. Kay vs. Orpheum Co., Ltd., David Kawanakoa, John F. Colburn, Mark P. Robinson, W. H. McInerney, Edgar Halstead, Joseph H. Fisher, John D. Holt, Jr., and Jonah Kalaniana'ole that defendant McInerney may have until December 9 within which to plead, etc., as he may be advised.

The Oahu Lumber & Building Co., Ltd., has discontinued its suit against the Inter-Island Telegraph Co., Ltd.

A good point: He—"There is one thing in particular I like about spinsters." She—"What is that?" He—"They never bore a fellow by telling him how they used to do this and that before he was born."—Tid-Bits.

## ONLY ONE FIRM HAD A CHANCE TO BID ON CRUSHER

### Public Works Department Prints a Dissolving View Advertisement and Then Buys a \$1550 Machine of Von Hamm Young Co.

By the terms of the Appropriation Bill "Every contract for \* \* \* furnishing material, provisions and other supplies amounting to \$500, shall be awarded to the lowest bidder, only upon the public advertisement for tenders."

The Public Works Department has purchased a rock crusher from the Von Hamm-Young Company for \$1550.

In making the purchase the above law was practically ignored. An advertisement for tenders for the rock crusher was drawn up and dated Saturday last, October 31st.

It was not inserted in any paper until it appeared in the inside pages of the Bulletin on Monday afternoon, November 2nd. It also appeared in the Bulletin of November 3rd,—election day. The call was for tenders to be opened at 12 m. on Wednesday, November 4.

Other firms in town who would have liked to tender for supplying the crusher if they had known of the call, knew nothing of the matter until it was too late.

What might have been expected, happened. Only one firm knew of the advertisement. Its tender alone was received, and the contract was awarded to it before any competitor knew that a crusher was wanted.

### WHAT MARSTON CAMPBELL SAYS.

"The contract for furnishing the rock crusher was let to Von Hamm-Young Co. for \$1550," said Assistant Superintendent Campbell yesterday. "I sent the copy for the advertisement upstairs on Friday and the date for the closing of bids was fixed for the following Wednesday. That was ample time for those in the Territory who wanted to bid. The crusher was wanted in a hurry, it was needed for the contractor who is building the Pahala road on Hawaii and it had to be sent over at once. If we had waited to advertise for bids on the coast it would have taken three months and delayed the work just that much. The crusher is one which is kept in stock here and is sold only at one price. There was three or four days for bidders to act if they wanted. If there is any question I am willing to abrogate the contract and advertise for bids again, but it will delay the work just that much."

C. M. White, Chief Clerk in the Public Works office, said that he believed the advertisement was sent to be published on Saturday. He had told Mr. Campbell that the time for asking tenders was too short, but the reply had been that it was "all right." The stub in the record at the Public Works office fails to show when the copy was sent to be published, although the advertisement is dated October 31st.

## COAST LABOR OPPOSES JAP AND KOREAN INFLUX HERE

The Chronicle says:

The San Francisco Labor Council adopted the following resolutions last night:

Whereas, Mongolians and other Asiatic cheap labor are not only a detriment to the progress of the American workers but to that of the Nation as a whole; and whereas, strenuous efforts are now being made in the Philippine islands by nearly all the representatives of European capital and by some representatives of American capital to open these islands to Chinese coolie labor, which inevitably will lead not only to the lowering of the already small wages of the Filipino workers, but, ultimately to the crowding out of the native workmen and native business men by Chinese; and whereas, in the Hawaiian Islands out of a population of about 160,000, there are 70,000 Japanese, 95,700 Chinese and of late Koreans, who are Chinese in build and customs, are being brought in, the purpose of the Hawaiian Sugar Planters' Association being to import in the near future 10,000 of such Koreans as an experiment, who—as at present there is already a large surplus of Mongolian labor in these islands—labor which is gradually finding its way to the mainland of the United States, especially to the Pacific Coast States—will come to our country, the Hawaiian Islands thus being used as a bridge to bring cheap Mongolian labor into the United States; and whereas, Chinese and Japanese, especially the latter, are rapidly driving to destitution and extinction the native Hawaiians, and out of the islands the few white mechanics, the few small white settlers and the small white business men, leaving the islands in full control of the Hawaiian Sugar Planters' Association, controlled by a few white men of great wealth; and whereas the census of 1900 shows that the Japanese population of the United States, exclusive of the Japanese in the Philippines and Hawaiian Islands, had grown from 2039 in 1890 to 24,326 in 1900, of which number 22,000 were in the States of California, Washington, Oregon, Montana and Idaho, where their disastrous competition in many callings has inflicted great injury on the American workers, especially since 1900, when their numbers in these states have steadily increased; and whereas increased machinery production in Japan is displacing in larger and larger numbers hand labor, which hand labor in the overcrowded condition of that country, where 45,000,000 of people are situated on 148,742 square miles, only 11 per cent of which is arable land, is eager to immigrate and willing to work at any wages, in Japan now wages of laborers being 18 cents per day and of mechanics from 20 to 50 cents per day; and whereas the Japanese only outwardly, by adopting our dress, conform to the Western standard of civilization—in their customs and morals they remain essentially Japanese, that is, men of a lower standard of morals, of a lower standard of wages, men of a race that has never assimilated with the Caucasians, but which race has always pulled down, and pulled down irresistibly, the men of the Caucasian race that has been forced into contract with men of the Mongolian race; now, therefore, be it

"Resolved, by the San Francisco Labor Council, in regular session assembled, October 23, 1903, that we deem it absolutely necessary for the preservation and advancement of American civilization, and for the preservation and advancement of the natives of the Philippine and Hawaiian Islands, to whom the American Government has made solemn pledges of protection, that the present Chinese exclusion law be made to apply to the Japanese and Koreans and other Asiatic Mongolian labor, also that the present Chinese exclusion law continue in full force in the Philippine and Hawaiian Islands; and further

"Resolved. That the American Federation of Labor, at its annual convention to be held November next at Boston, Mass., is hereby requested to instruct its legislative committee to have a bill introduced in Congress embodying the spirit of these resolutions."



# COUNTY ACT CONTEST IN THE SUPREME COURT

The County Act, or its alleged defects in legality, engaged the attention of the Supreme Court at both morning and afternoon sessions yesterday. It came up on an appeal by the plaintiffs from Circuit Judge Gear, who refused a writ of mandamus applied for by Governor Dole and colleagues forming the Board of Public Institutions to compel the respondent, H. E. Cooper, Superintendent of Public Works, to hand over to that body the public buildings, institutions, wharves, works, etc., which the County Act gave to its control and supervision. The decision appealed from declared the Board of Public Institutions an illegal body in its contravening the provision of the Organic Act that the Governor shall appoint any "boards of a public character that may be created by law." It went further and decided, in favor of the petitioners, that it was not competent for the courts to inquire whether an Act signed by the Governor, upon a certificate of its passage in proper manner by both houses of the Legislature, had in fact passed the three readings in each house prescribed by the Organic Act.

Attorney General Lorrin Andrews appeared for the petitioners, and S. H. Derby of Kinney & McClanahan for the respondent. Mr. Andrews opened the argument, citing many authorities for the legality of the Act.

Mr. Derby followed for the respondent, speaking about an hour in the morning and fifty minutes in the afternoon. He contended that, among all the cases quoted on both sides, those holding that the courts might not inquire into the legislative facts back of the executive's signature were from jurisdictions where a similar constitutional provision as that of this Territory did not exist, namely:

"Sec. 46. That a bill in order to become a law shall, except as herein provided, pass three readings in each house, on separate days, the final passage of which in each house shall be by a majority vote of all the members to which such house is entitled, taken by ayes and noes and entered upon its journal."

Mr. Derby argued strongly against the power, assumed by the Legislature in this case, of wiping out the functions and duties of an office created by the Organic Act, that of the Superintendent of Public Works. He also laid stress upon Sec. 45 of the Organic Act, claiming that it had been violated by the County Act. This section reads:

"That each law shall embrace but one subject, which shall be expressed in its title."

In summing up, counsel for the respondent emphasized the various sections of the Organic Act which he maintained were transgressed by the County Act, namely: Sec. 30, referring to the Governor's appointing power; Sec. 45, to the title of laws; Sec. 75, to the powers and duties of the Superintendent of Public Works; and, finally, Sec. 46, to the reading of bills. Upon the last he held that the whole Act was illegal because it had not passed three readings in the House of Representatives.

Mr. Andrews made a brief reply. It was agreed on both sides, the Attorney General said, that the court should be reluctant to declare the County Act, or any vital parts of it, void; also that the Act should have but one subject, which should be embraced in its title. On the last point he maintained that the constitutional provision was duly observed in the County Act, having this title:

"An Act Providing for the Organization and Government of Counties and Districts, and the Management and Control of Public Works and Public Institutions Therein."

The Act was most comprehensive in its scope. It left no area of the Territory out in its provisions for county government. Of necessity it must interfere with certain functions of the Territorial Government as established by Congress in the Organic Act. There was but one tax assessor in each county, who must collect taxes for both the county and the Territory. There must be some authority for dividing the money so collected. It was left doubtful by the County Act who was to collect certain classes of revenue such as license fees.

The Attorney General referred to the provisions of the County Act relating to Oahu prison, whereby part of it was to be the Territorial penitentiary and part the Oahu county jail, and asked, "Is the word Territory to be obliterated altogether?"

There was hardly anything worthy of consideration, Mr. Andrews proceeded to say, in the argument of counsel opposite except the question raised about the Board of Public Institutions. There were public buildings all over the islands. If it was germane to put these under the Superintendent of Public Works, or the Attorney General, then it was just as germane to have them placed under a Board of Public Institutions.

Where it was such a sweeping Act, leaving out no area of the Territory—a complete change of government in fact—the provision for the control and care of public institutions and property was a good thing. It was a change from a highly organized and centralized government to county government, hence something had to be done and he thought the Legislature did the best it could to meet the situation.

Referring to the contention that it was illegal to wipe out important func-

tions of the Superintendent of Public Works, Mr. Andrews pointed out the saving clause in Sec. 75 of the Organic Act, which, following a category of the powers and duties of the incumbent, says that such powers and duties are to be exercised "except as changed by this Act and subject to modification by the Legislature." Was there anything inherent in the office of Superintendent of Public Works that his duties could not be performed by any other authority the Legislature might create?

Mr. Andrews playfully paid deference to Mr. Derby's "respect for his new law partner," but, if his claim of immutable functions inhering in the Superintendent of Public Works was right, he asked where was the principle going to end.

All of the office of Superintendent of Public Works was not eliminated by the County Act. The Legislature continued salaries for him and his assistants. A good many duties were left to him. But to say that he should forever hold on to powers and duties which the Organic Act merely directed him to exercise, subject to modification by the Legislature, was absurd.

The County Act did not traverse the Organic Act, Mr. Andrews contended. In giving certain new duties to various public officers designated. The Board of Public Institutions was not a new creation like the Board of Agriculture and Forestry, which handled but one branch of the Territorial public service. It simply implied the conferring of certain powers and duties on the Governor, the Attorney General, the Superintendent of Public Instruction and the Auditor.

Counsel on both sides will file briefs.

## ROUGH SEAS ON HAWAII

A high surf ran all day yesterday and stirred things up in the bay. The big breakers pounded the shore. Stones used as a seawall by the Hilo railroad were tossed across the second track. The sand was washed from the roadbed of the outside track to a considerable extent.

The Aloha, which was moored at the new wharf, was banged about by the big swells until she had to be towed to a safe anchorage in the stream.

The rough sea came on shortly after midnight Thursday morning. At high tide yesterday afternoon the waterfront at Hilo was an interesting sight.

The Kinau found the bay too rough yesterday to land at the wharf. She made the attempt, but one or two severe bumps made her pull away. She anchored off the mouth of Waialae river and sent the passengers ashore in small boats. The first boat load with the mail sacks, went up the Waialae river and almost capsized just below the bridge. A big comb sent it half over, throwing the Kinau freight clerk and Charles Akau out. Several other big breakers followed until it was a question whether the mail would be landed dry. Nothing was lost except a small hand bag belonging to a passenger.—Tribune.

## AS TO THE FREE KINDERGARTENS

The ladies of the supervising board of the Free Kindergarten Association met yesterday morning in the pretty parlor of the Young Women's Christian Association for their regular monthly meeting. They heard the usual reports of officers and chairmen of the various committees, which showed commendable progress in the kindergartens.

Miss Parke announced that from several of her friends she had secured sufficient money to provide the overcrowded Chinese kindergarten with chairs, which enabled the little Celestials to have a comfortable chair each, in place of the fractional part of a seat that each had occupied previously and precariously.

The benefit concert of last week proved a great success financially and aesthetically, and brought five hundred dollars to the treasury of the Association. The ladies spoke gratefully of all who had taken part, or disposed of tickets, and passed a vote of thanks to Mrs. Kinney, who had the affair in charge; to Mr. Griffiths for tendering the use of the hall; and to the press of the city for its generous aid in advertising.

"Yes," said the dentist, "to insure painless extraction you'll have to take gas, and that's fifty cents extra." "Oh!" said the farmer. "I guess the old way'll be best; never mind no gas." "You are a brave man." "Oh! it ain't me that's got the tooth; it's my wife."—Philadelphia Ledger.

"Oh yes, I've opened an office," said the young lawyer; "you may remember that you saw me buying an alarm clock the other day." "Yes," replied his friend; "you have to get up early these mornings, eh?" "Oh, no. I use it to wake me up, when it's time to go home."—Philadelphia Press.

A SORE THROAT may be quickly cured by applying a flannel bandage dampened with Chamberlain's Pain Balm. A lame back, a pain in the side or chest, should be treated in a similar manner. For sale by all dealers and druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

A beautiful romance headed off: "You don't mean to tell me you rescued a young lady from drowning and didn't even stop to learn her name!" "That's what I did. My wife was there when I got the girl ashore."—Ex.

# IS PARKER A REPUBLICAN?

## Fights Nomination of Dole and Carter.

Well authenticated reports indicate that Samuel Parker is using his position as Republican National Committeeman for Hawaii to defeat the nomination of two Republicans, chosen by a Republican President to office in this Territory. Parker is said to have sent a cable to Chairman Hanna asking him to use his influence to defeat the confirmation of Governor Dole as Federal Judge and Secretary George Carter for Governor, when President Roosevelt sends the names to the Senate next week. Moreover Parker is doing this without consulting the Republican Executive committee of the Territory, and contrary to the wishes of at least a majority of the members of that body. As a result Parker came in for much criticism from Republicans who heard the story yesterday. And, too, the National Committeeman is being criticised for his attitude during the recent county campaign. Not only did he not take any part in the Republican work but he is alleged to have used what influence he had to bring about the defeat of the party for which he acts as National Committeeman. According to the story told at Republican headquarters yesterday Parker is said to have visited the polls on election day in an automobile in which were seated also Prince David, Col. Cornwell, Democratic National Committeeman, and Curtis Iaukea, Home Rule candidate for Assessor. Nor is this all. At one precinct where the automobile stopped, Parker is said to have repeated a number of times, "It doesn't make any difference to me who wins this time." A peculiar statement at least for the supposed head of the Republican party in Hawaii to make on election day.

The Territorial Executive committee is also said to have had some differences with Parker. It has been found impossible to obtain any information from the Republican Committeeman, not to mention aid of any kind. Requests which were sent to the National Committee were returned with the news that they had been long ago complied with, and sent to Parker. Parker never turned them over to the Executive Committee, although several attempts were made to secure from him correspondence which he had with the National Committee. Finally further efforts were abandoned and communication has been practically broken off between Parker and the members of the Executive Committee.

Parker is reported to have sent a cable within the past day or two to Senator Hanna of the Republican National Committee asking him to use his influence to prevent the confirmation of Dole and Carter. Parker since his own failure to secure the Governorship, is said to be working for Treasurer Kepokai. His particular grievance against the men nominated for the vacant places, is said to have arisen from their refusal to give him the Kohala water franchise as asked.

Col. Parker was asked over the telephone last night as to the truth of the story of the cablegram to Hanna. "I got nothing to say, I got nothing to say," he replied. "You newspaper fellows always know more than I do, so I—" and Mr. Parker or central broke the connection.

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## JONES IS READY FOR HIS TRIAL

E. M. Jones, the alleged murderer of his wife and mother-in-law, Mrs. Parmenter, will be put on trial today in Circuit Court. Jones is much improved in appearance since the day he voluntarily surrendered himself and went to prison. The night he drove to the Police Station in a hack he was almost unrecognizable so harshly had the elements dealt with him in his wanderings on Tantalus. Since he was committed for trial by Judge Lindsay, Jones has been kept strongly guarded at Oahu Prison. He has not been at work and has nearly recovered his former robust health.

## The Need of More Parks

It is to be hoped that if Mr. H. E. Cooper's resignation is accepted, his successor will take up the scheme of providing public parks and grounds for the outdoor amusement of the people, especially for school children. As we have observed more than once, the greatest need for children is a place where they are perfectly free to expand their muscles to the greatest extent, without fear of breaking windows or damaging property or valuable products. Under their present deprivation of these places, it is really marvelous how free the streets and roads are from obstructions from games of children. The city needs lungs, too, which may be cultivated and made into ornamental parks and promenades, but the need of playgrounds is greater.—Anglican Church Chronicle.

# WILL BE NO CONTEST

## The Certificates of Election Are Issued.

Secretary George R. Carter yesterday issued certificates of election to the men chosen to county offices at Tuesday's election. This ends all talk of contest as far as the Secretary's office is concerned and if the Home Rulers want a recount they will have to apply to the courts to give it to them. From what could be learned from Home Rulers yesterday the idea of a contest has been practically abandoned although the committee, John Wise and Curtis Iaukea, still have the matter in charge. As a recount would not affect either of those two very materially it is more than likely that no further action will be taken in the matter. Not only is the question of expense a serious one for the Home Rulers, but if the case ever gets into the courts it is likely to drag along so as to prevent the county government from being put into effect on this island at the beginning of the new year. As far as mandamus is concerned that phase will have to be abandoned as the election certificates have already been issued.

"I waited for more than twenty-four hours after the official returns were in for the Home Rulers to act, and then issued the certificates as required by law," said Secretary George Carter yesterday. "Several members of the Home Rule party called to complain about the count, but when I asked if they were acting officially they said no. The men that called wanted the government to institute the proceedings but certainly that is too much to ask. That would be the worst form of paternalism."

The following is the form of certificate issued to the elected officers:

## COUNTY OFFICERS—CERTIFICATE OF ELECTION.

"I, G. R. Carter, Secretary of the Territory, do hereby certify that ..... was on the third day of November, A. D. 1903, duly elected ..... of the county of Oahu for a term expiring on the second day of January, A. D. 1904."

"Witness my hand and the seal of the Territory this sixth day of November, A. D. 1903. G. R. Carter, Secretary of the Territory."

Some of the officers-elect say that the whole talk of the contest comes from a disgruntled faction of Republicans who have always tried to make trouble for the party. "If the Bulletin would shut up," said one of them yesterday, "the Home Rulers would soon quit their talk, but as long as they are egged on by the same old clique of so-called Republicans, they will keep on trying to get a recount if some one furnishes the money. As a matter of fact a recount would not change the result, and would only keep the Republicans from taking office when the county act goes into effect, and cause disturbances generally."

Probably the Republicans will soon have a justification meeting.

## TO OPEN UP PEARL HARBOR

H. E. Cooper, Superintendent of Public Works, has had returned to him, with a long string of endorsements by U. S. Army officers, an application he made to the War Department in September for having Pearl Harbor opened to commerce. He is officially informed that the War Department is not charged with placing buoys and beacons in harbors, and is given permission to place needed navigation marks in the channel and harbor. The channel as lately dredged has a width of 200 feet and a depth of 30 feet. Superintendent Cooper will have the navigable waters of Pearl Harbor marked with buoys under the authority now possessed by him.

## MERCHANTS TO MEET ARMY BOARD

A special meeting of the Merchants' Association executive committee was held yesterday morning for the purpose of considering the appointment of a special committee to meet and confer with the U. S. army board now making its investigations as to sites for forts, the committee to offer as many courtesies as possible. The purpose was to procure any information they may desire and to urge the establishment of a large military post, capable of quartering at least a regiment.

The committee was appointed and consists of P. R. Helm, E. A. McNerny, J. B. Rothwell, H. F. Wichman and Charles Humburg.

## REMINDER OF COL. MAUS'S VISIT

Lt. Col. Maus of the Twenty-second Infantry, now aboard the Sheridan, when last in Honolulu, was with General Miles. The party was domiciled at the Hawaiian Hotel. Porto Rican sneak thieves stole from Col. Maus's room a valise containing valuable and important papers and part of Mrs. Maus's wardrobe. The valise was recovered, and after the departure of the party for the Philippines the police caught the thieves and had them sent to prison.

# A \$150,000 LAND DEAL BEING NEGOTIATED BY SUPT. HENRY E. COOPER

Some heavy land deals are being negotiated by Superintendent of Public Works, Henry E. Cooper, and Commissioner of Public Lands, E. S. Boyd. Mr. Cooper states that he is trying to conclude them before he goes out of office, which will probably be in the course of the next week or ten days.

One of these deals is the proposed granting, by the Government, to the Waiakea Mill Company of Hilo, Hawaii, of certain Government lands now held under lease by the Waiakea Mill Company in exchange for which the Waiakea Mill Company is proposing to purchase certain lands in Honolulu which the Government needs for street or other improvement purposes. Having acquired these lands the Mill Company will convey them to the Government in exchange for the plantation land desired by it.

Another deal is with the Paauhau Sugar Company, under which the Paauhau Company expects to get a tract of eleven hundred acres of Government land now under lease to it by the Government. The Company expects to give in exchange for this land, certain lands owned by Wm. G. Irwin in Honolulu. It is proposed that the Paauhau Company shall acquire title to this land from Mr. Irwin and then turn it over to the Government. In part the land so proposed to be acquired in Honolulu is the block of land adjoining the court house, upon one corner of which the Opera House is located.

Another deal is with the Hutchinson Plantation Company of Kau, Hawaii. It is proposed that this Company should be granted in fee the lands now leased to it by the Government. It will make an arrangement with Mr. Irwin, by which it will acquire an interest in his land in Honolulu, which it will thereupon transfer to the Government.

Another deal is one by which the Government will grant certain lands in exchange for lands and buildings along the waterfront, near the foot of Nuanu street, so that a broad open space along the harbor front will be obtained, extending from the S. C. Allen building on Queen street to River street. It is understood that the plan involves the removal of the old Custom House, the three story building occupied by the California Feed Company and C. Brewer & Company's office building.

Other deals of similar magnitude and character are under consideration.

The value of the lands involved amounts to several hundred thousand dollars.

## MR. IRWIN'S STATEMENT.

A representative of the Advertiser asked Mr. Wm. G. Irwin yesterday if he was willing to give the Advertiser for publication a statement of the details of the proposed land exchange between the Government and the plantations represented by himself.

"So far as I am concerned," said Mr. Irwin, "I am perfectly willing that the fullest publicity should be given the matter. When Mr. Eustis was down here in connection with the securing of a site for the federal building I was written to in regard to whether or not I would part with the block adjoining Union Square and just Ewa of the court house. At that time I was not willing to entertain the proposition. Some months ago I was again approached by the Government, asking whether or not I would part with the block in question. I finally stated that I would exchange it for plantation lands of equal value. The whole proposition has been at the instance of the Government, and is not of my seeking. In accordance with the request of the Government I have submitted a statement of lands which I was willing to take in exchange for the square in Honolulu. They include the land of Kalopa in Hamakua, now under lease to the Paauhau Plantation. This land contains 1100 acres. The list also includes the Government lands occupied by the Hutchinson Plantation in Kau; I don't remember just what the area is, but it does not include any lands that are not already in the occupation of the plantation. I told Mr. Cooper I wanted \$200,000 for the Honolulu Square and would take Government lands in exchange of an equal value. Mr. Cooper told me he considered \$200,000 too high, but that he was willing to give lands to the value of \$150,000. I have not yet come to a decision as to whether I would let the Honolulu lot go at that figure, but I want an early decision arrived at in the matter, as I go back to the Coast within the next week or so."

## SARGENT WARNS COUNTRY OF PERIL.

WASHINGTON, Oct. 23.—Commissioner General Sargent repeats in his annual report made public today his warning which he gave so vigorously in the columns of "The Press" three months ago that immigration under present conditions is a peril to this country. He declares that the smallest part of the duty to be discharged in handling alien immigrants is that now provided for by law. The conditions under which nearly 1,000,000 aliens come to America annually demand, in his opinion, remedy through national legislation.

One of the most important questions is the distribution of this throng of immigrants so as to prevent the creation and augmentation of alien communities in our great cities. Such colonies, he declares, are a menace to the "physical, social, moral and political security of the country." He brands them as hotbeds "for the propagation and growth of those false ideas of political and personal freedom whose germs have been vitalized by ages of oppression under unequal and partial laws which find their first concrete expression in resistance to constituted authority, even occasionally in the assassination of the lawful agents of that authority."

He further denounces them as breeding grounds of moral depravity; the centers of propagation of physical disease and above all that they are the congested places in the industrial body which check the free circulation of labor to those parts where it is most needed and where it can be of most benefit.

The Commissioner General suggests that another means of averting the danger from the growing immigration is the enactment of legislation to prevent the unlawful naturalization of aliens. On this point he remarks: "Undoubtedly such naturalization is now often granted upon very insufficient evidence of the statutory period of residence, a looseness in the practices of courts which is fostered by the heat and zeal of partizanship in political contests. It rests with Congress to prevent such abuses and consequent distrust in the popular mind of the purity of elections by establishing additional requirements to be complied with by aliens seeking the privilege of citizenship."

In suggesting new legislation Mr. Sargent again urges that aliens seeking admission to this country should at least have so much mental training as is evidenced by the ability to read and write. He also urges some requirement as to the moral character of immigrants. Some legislation should be devised sufficient to establish a moral standard for admission, and he points to the criminal record in this country of many aliens as a justification for the recommendations.



## Hawaiian Gazette.

Entered at the Postoffice of Honolulu,  
H. T., Second-class Matter,  
SEMI-WEEKLY.

ISSUED TUESDAYS AND FRIDAYS.

WALTER G. SMITH, Editor.

## SUBSCRIPTION RATES.

Per Month ..... \$1.50  
Per Month, Foreign ..... 2.00  
Per Year ..... 15.00  
Per Year, Foreign ..... 20.00

Payable invariably in advance.

A. W. PEARSON,

Manager.

TUESDAY : : : NOVEMBER 10

## SECRET LAND DEALS.

Elsewhere herewith the Advertiser gives the details of various proposed government realty transactions involving several hundred thousand dollars' worth of land. These deals are being negotiated privately by the Superintendent of Public Works and the Commissioner of Public Lands. No one except the officers and the individuals interested, knows exactly what public lands are to be exchanged or what the Government is to receive in exchange or what the relative values are. The Advertiser makes no imputation against the probity or honor of the officials who are handling this matter or of the individuals who are dealing with them, nor does it suggest that the transactions in question are not beneficial to the public and perfectly fair. The block of land in one of the particular cases mentioned, viz: the opera house block, adjoining the court house lot on the Ewa side, will be an extremely valuable acquisition by the Government if it can be had at a fair price.

But this paper does object to public affairs of this magnitude, which have not received legislative sanction, being conducted in secret.

If the proposed transactions are in the public interest, the individuals concerned will not suffer if the public knows the facts.

There may be vital reasons unknown or unthought of by the officials why certain public lands desired by private parties should not be sold. If publicity is given to every proposition of this nature, objections may be developed which would never have been known but for such publicity.

The Advertiser is not now objecting to any one of the deals in question, as it does not possess information upon which an intelligent opinion can be based. All that is objected to is that ANY transaction of this kind should be carried through in private. It urges upon the private interests involved as well as upon the officers who are representing the public in this matter, that in their own as well as the public interests, a full public statement should be made of exactly what is proposed.

After such publication, a reasonable time should be allowed to elapse before action is taken.

The statement has been made by Mr. Cooper that he wishes to close these deals before he leaves office. This is unnecessary and improper. The new administration is an honest and progressive one and can be depended upon to carry through to consummation any negotiations which are for the public interests, which are uncompleted when the present administration goes out of office. Any attempt to rush transactions of this magnitude through without the knowledge of either the public or the new administration will be unseemly.

## EXIT WALKING DELEGATE.

The walking delegate, Sam. Parks, bombastically thrust forward by the local organ of treacherous Republicans as the conqueror of the conservative union leader, Buchanan, by whom in fact he was ignominiously defeated at Kansas City, has gone back to Sing Sing for thirty months with the prospect also of serving out his former sentence.

The last instance of his successive extortions was less productive than some of the others, but equally interesting. Parks fined the Tiffany Studio Company five hundred dollars. The treasurer, Schmidt, asked him whether or no the money would go to the labor union, and received the answer: "It goes to Parks." "But," Schmidt replied, "the union men will kick." The retort was prompt and decisive: "I have got those—muzzled, and, if one of them objects, we will fine him fifty dollars and he can't get another job in the city."

The money was paid, and, the next morning, the strikers resumed work. These facts were all sworn to at the trial of Parks, and were only a trifling instance of a system of extortion from employers and of peculation from the unions that he had impudently practiced for years.

The intelligent and industrious wage-earners who have been thus abused welcome revelations and convictions that have broken the power of the walking delegates. They propose to control reorganized unions, which will be limited to useful ends, pursued by lawful and honest methods, and influential newspapers are prognosticating a restoration of harmony between capital and labor that will not be long deferred.

Woman suffrage does not exist in Hawaii but the power of women at the polls and in political campaigns is remarkable. The manifestation is confined, however, to women of native blood. They are eager politicians, some of them even going on the stump, and all of them exercise a peculiar influence upon their husbands, brothers and male friends. So it is not a trivial circumstance that Mrs. Wilcox—a more potent politician in many ways than was her late husband—proposes to organize the Hawaiian women into a Home Rule reinforcement which shall move on mass. If she succeeds in doing this, Wilcox will be a power to reckon with.

## EXPANSION.

Events are coming thick and fast at Panama and it looks as if the American were in full control of the State. The course of the Nashville in going to a Colombian port to prevent the free use of it by the Colombian government, means that the United States is ready to fight, if necessary, to preserve its foothold on the Isthmus. An air of summary annexation, with the consent of the Panama people, is over the whole proceeding. It is evident from this morning's dispatch about Secretary Hay's statement that an "anti-imperialist" uproar has started in the United States; but it is doubtful if this will amount to much. When all is said and done the American people will again prove themselves a Roman race, land hungry and determined to have and to hold. Their empire has steadily grown from decade to decade, spreading over the better part of a continent and reaching far from its ocean shores to mid-Pacific islands, to the Arctic Ocean and to an Asiatic province. Today the sun does not set on their domains. May we not soon come to regard the occupation of the western hemisphere, from Greenland to Cape Horn, as part of America's manifest destiny?

## WALL STREET BUBBLES.

The failure of the Shipbuilding Trust, which is an incident of the smashup in "industrial," is described by so conservative a paper as the New York Evening Post as one "in which nearly every element of indecent cheating appears to have been present." One of the men whom the trust ruined, Mr. Daniel L. Dresser, has been describing its methods in court. It appears from his testimony that Mr. Schwab had purchased the Bethlehem Steel Works for \$7,000,000 to unload on the shipbuilding combine. He worked among the stockholders until he had induced them to buy his steel plant giving in return for it bonds to the amount of \$10,000,000, backed by a bonus of \$10,000,000 of the preferred stock of the shipyard trust and \$10,000,000 of the common stock of the concern. Then the combine's stockholders entered into a second agreement, under the terms of which the stock bonus held by Schwab should be thrown on the market and sold in advance of any other of the shipyard trust's securities.

That is to say what Schwab bought for \$7,000,000 he sold to the trust for \$30,000,000. Of the common and preferred stock he marketed \$5,750,000 "worth" and still had on hand first mortgage bonds in the sum of \$10,000,000. His net profits were \$7,750,000.

To make matters worse Schwab is now trying, through foreclosure of the bonds, to secure the entire plant of the shipbuilding trust including the Bethlehem steel works which he sold. If this scheme succeeds, the old investors in shipyard securities will lose every dollar they put in and the new lot of buyers will find themselves burdened with liabilities instead of assets. Transactions like these account for the panic in Wall street and the sudden collapse of even good securities. People had bought "industrial" with a free hand. Faith in Morgan and Schwab had led them on in the belief that the value of the shares would steadily rise. When the crash came faith in everybody collapsed. If Morgan and Schwab were not able to make good, who could be trusted? As the swollen mass of "industrial" toppled and fell, all securities slipped down hill after them; and now even a gilt edge is not a recommendation for a bond unless it was put there by the Government.

Happily the panic has had no bad effect on the country. Common prosperity is not involved and there is no sequel in hard times. So long as the people can sell for a profit what they raise or make, they will not bother much about the vicissitudes of steel stocks or get-rich-quick investors.

## A CORRECTION.

In a recent issue of the Advertiser, among its telegraphic dispatches, was an item to the effect that John L. Phillips, Mayor of Springfield, Ill., had been indicted for malfeasance in office.

It has since come to the knowledge of the Advertiser that the malfeasance charged did not occur until Mr. Phillips had retired from office and that it is his successor who has been indicted and not Mr. Phillips.

We regret the occurrence of the mistake and any annoyance it may have caused Mr. Phillips.

## MOSQUITO NURSERIES.

In his search for mosquito-breeding places Inspector Larnach was attracted to cesspools by the presence of dragon flies about the vents. These winged marauders were waiting for mosquitoes. Some of the cesspools were opened and were found to be infested by the wigglers from which mosquitoes grow. It may be deemed probable that thirty per cent of the mosquitoes found in the city come from such places.

The remedy is simple. A bottle of oil poured into the cesspool will kill the larvae already there and a strip of wire gauze will prevent the entrance of adult mosquitoes. If everybody would treat their cesspools in this way there would be another visible decrease in the sum of insect annoyance.

Where tanks are used, the utmost care should be taken to close them in Mosquitoes infest tanks and breed there in swarms.

Householders should not forget that the little basins of water in which the legs of tables and food-safes repose, as a protection from ants, also harbor mosquitoes. A little oil in these will serve an excellent purpose.

All in all a remedy for the mosquito pest is at hand but its success rests upon the vigilance and zeal of householders.

## THE SITUATION IN PANAMA.

European newspapers and anti-imperialists in the United States are probably roundly denouncing the United States for its action at Panama. Possibly some papers have gone to the extent of writing of Secretary Hay and President Roosevelt as "pirates" and "filibusterers" but America has certain rights on the Isthmus of Panama, guaranteed by a very ancient treaty, which permit her to do many things there that people unfamiliar with that document might regard as high handed measures.

President Roosevelt has evidently been well acquainted with the preparations which have been going on at Panama and Colon ever since last July, for a war against the government of Colombia. An enormous number of arms and much ammunition has been recently smuggled into Panama. For years every Colombian has been supplied with a rifle and ammunition and this late importation alone should convince anyone that something of a momentous nature was impending. Many Venezuelans and adventurers from all parts of Central America and from Venezuela have flocked to Panama and Colon. The firing of a shot would set off a revolution which might needlessly destroy many lives. The interests of Panama are in the main dissimilar to those of the main portion of Colombia on the South American continent.

Over half a century ago our government became responsible for the maintenance of unchecked travel across the Isthmus. In 1846 the United States made a treaty with New Granada, now Colombia, in which it was provided, in the thirty-fifth article, that the right of transit over the Isthmus "should be open and free to the Government and citizens of the United States," and the United States at the same time guaranteed the neutrality of the Isthmus and agreed to protect it from foreign aggression. Should a great civil war occur there and the Colombian government be worsted a new government would rise to power which might say: "The Republic of Colombia is no more, this new government has nothing to do with the old treaty." In this way American interests in the Isthmus might be greatly imperilled. The United States now steps in with her marines to prevent just such a happening and at the same time is ready to enforce the old treaty rights if a new government takes charge of the territory affected by the treaty.

## TRADE GAINING IN JAPAN.

Imports into Japan from the United States for the first time exceed those from the United Kingdom. In the six months ending with June, 1903, the imports into Japan from the United States were 24,950,493 yen, against 23,803,656 from the United Kingdom. This is the first annual or semi-annual period in which the imports from the United States into Japan have exceeded those of the United Kingdom. In 1891 the imports into Japan from the United States were less than two million yen, against more than sixteen millions from the United Kingdom; in 1901, from the United States a little less than seven million yen, against twenty millions from the United Kingdom; in 1900, sixty-two million yen from the United States, against seventy-one millions from the United Kingdom; in 1901 and 1902, following the increase in the Japanese tariff, the total imports into that country showed a considerable reduction, and as a consequence the imports from the United States in 1902 were but 48,652,824 yen, against 50,364,029 yen from the United Kingdom. In the six months ending with June, 1903, the imports from the United States were 24,950,493 yen, against 23,803,654 yen from the United Kingdom. In 1881 the United States furnished less than six per cent of the imports into Japan and the United Kingdom furnished over fifty-two per cent. In 1902 the United States furnished 17.9 per cent of the total imports and the United Kingdom 18.5 per cent, while in the six months ending with June, 1903, the United States supplied 15 per cent of the imports into Japan and the United Kingdom 14.3 per cent.

One cause of the reduction in imports from the United States into Japan since 1900 is the fact that that country is in recent years buying more largely of her raw cotton from India. The total value of imports into Japan from India has grown from less than eight million yen in 1892 to forty-nine million yen in 1902, and in the six months ending with June, 1903, was 34,890,554 yen. The importations of ginned cotton into Japan from the United States amounted in 1900 to 1,112,534 piculs and in 1902 to 731,800 piculs, while from India the imports of ginned cotton in 1900 were 739,073 piculs and in 1902, 1,763,189 piculs. The value of imports of raw cotton from the United States in 1900 was twenty-seven million yen and in 1902 nineteen million yen, while that from India was, in 1900, seventeen million yen, and in 1902, thirty-nine million yen.

This partial transfer of the cotton trade of Japan from the United States to India accounts for the fact that the percentage which the United States supplied of the total imports of Japan in 1902 and the first half of 1903 was less than in 1900, in which year we supplied 21.96 per cent of the total imports of Japan.

Hilo people talk of holding back their taxes for the new county government. What an uproar it would create if the Territory attempted such a policy and decided to withhold money for East Hawaii improvements until after the first of the year. There would be just as much justice in the one proposition as in the other.

Too many courtesies cannot be extended to the members of the army board now in the islands. The military officers are here for business, but that business can be facilitated in many ways by the assistance of the Merchant's Association and of the citizens generally.

The Hilo Tribune cheerfully admits having led the anti-everything faction which defeated the Republican county candidates in East Hawaii.

## NATIONAL IMMIGRATION.

There are those who take a sanguine view of the immigration problem as it has been changed by the influx of Russian Poles, Hungarians and Italian lazzaroni. Recalling the days when the entrance of Irish peasantry caused grave misgivings to the Anglo Saxon Americans and inspired the Know Nothing movement—a phase of immigration which is now regarded as a boon to the country—they urge that, in the long run, we shall feel grateful for the latest comers. Their concrete proposition is that the Poles, Hungarians and Italians will eventually take the hue of their surroundings and that, in the second and third generations, their racial strain will disappear and they will have become of the American type.

But when the Irish phase of the story is looked into there is little about it which serves for an example of what may be expected of Latins and Slavs. The Irish came, knowing English speech and English ways. They spread over the country doing day labor, taking up land when the time came and sending their children into the democracy of the public schools. Especially in the country villages they became, in the course of the second generation, Americans in feeling, custom and accent. Their young men were quite likely to marry the daughters of American farmers and the Irish serving girl and the Yankee farm hand became mates. In the cities the young women went into American families to work and learned ways which, whether the girls afterward married in their own race or another made them mothers of boys to whom America was all in all. During the seventy years which have elapsed since the first rush of Irish came we have absorbed millions of them into the American body politic and they are as ready as any other citizens to fight and die for their country.

But how about the low-browed, furtive, dark-skinned offscourings of decadent races that are swarming in now? They know neither English speech nor ways and are not willing to learn them. They do not spread over the country but form colonies in great cities which are but the slums of Prague and Warsaw and Naples translated to another land. They intermarry as the Jews do; their children speak no English and are among the ones who hide away from schools. Of America they know nothing except as a place for getting money; its laws and institutions are sealed books to them. Not only do they refuse to assimilate with Americans but Americans refuse to assimilate with them and they remain as alien as the Chinese—foreign interlopers encamped upon our soil. Besides this they are a nucleus for outlaws; the people who will, on occasion, swell the ranks of the anarchists whom America must yet meet and crush.

To cut off this sewer stream from the submerged tenth of Europe is the highest demand of American statesmanship today. If the work is not done the national idea will be sorely tried by the growth and power of alien communities. The time has come to discourage the worst and encourage the best immigration. The United States needs more men of English, Irish, German and Scandinavian blood and no more at all of Slavs and Latins. Self-preservation is the law to observe now and it is a higher one than considerations of good will with decadent treaty powers.

The Sunday Advertiser prints more copies than any other paper in Hawaii, including the Daily Advertiser, and the demand has increased so much of late that the generous limit of production, established a couple of months ago, has been met and passed. On Sunday last the issue was exhausted save for a dozen copies brought back at the close of sales by unenterprising newsboys. Very many people who depend on street or office sales were disappointed about getting a paper. Next Sunday three hundred extras will be printed and these unless a transport should happen in during the early forenoon, should be ample to meet the popular demand.

It is a matter of doubt whether the Elkins referred to in a cablegram from Philadelphia as having died is the Senator or the local railroad man of that name. The cable message read "Elkins dead." It was assumed that the only Elkins in the country whose eminence was such as to justify his mention in a cablegram without initials, was the one meant. But recent coast files stated that a Philadelphia Elkins who is heavily interested in street railways was critically ill. Very likely he is the man who died.

Kaiser William's father died of a cancer of the throat, a circumstance which lends additional gravity to the rumors that come from the bedside of the present Emperor.

The Republican party needs no encouragement to honesty from the paper which steadily supported Wright and Boyd and has always defended disreputable courts and disbarred attorneys.

## LOCAL BREVITIES.

(From Sunday's Daily.)

The Bank of Hawaii will add a children's department to its savings branch. The Honolulu Times has now an associate editor, Mr. W. Prescott Adams of Boston.

It is reported that E. M. Boyd is a candidate for private secretary to Governor Carter.

The sale of government lands in Puueo, Kau, Hawaii, which was to have taken place today, has been postponed indefinitely.

With the county election off his hands, Secretary Carter was clearing up unfinished business yesterday. The Chinese fund matter was an item.

William Henry, warden of Oahu prison, disclaims the candidacy for Superintendent of Public Works given him by friends, saying he would not accept the position if offered to him.

Charles Spencer, wharf clerk of the American-Hawaiian Steamship Co., left yesterday for San Francisco to visit his mother at Alameda after an absence from home of twenty years. Before taking up his present employment, Mr. Spencer was well known here as a thorough master of the printing business.

(From Monday's daily.)

Collector Stackable sailed Saturday on the Alameda for Honolulu.

Dowie, the noted evangelist, is expected to visit Honolulu early in January. He is scheduled to remain here two weeks.

Hon. William White of Lahaina will take up his residence in Wailuku on January 1, attracted doubtless by our lovely climate.—Maui News.

Deputy Auditor Meyers has been investigating the books of Judge Kalua's Clerk on Maui this week as recommended by the grand jury.

This has been an unusually favorable season so far for cane crops on Maui and with a reasonable amount of warm weather between now and the beginning of the sugar season, an unprecedented yield will mark the coming season's crop.—Maui News.

Now the protest of the Home Rulers against the Oahu county election is promised for "some time this week."

Yoni Nakamoto has sued S. Nakamoto for divorce alleging non-support. She asks alimony and the custody of her child.

Charles Osborn, of the H. H. Williams undertaking parlors, has undergone an operation at Miss Johnson's sanitarium.

Two crazy people were committed to the insane asylum by Judge Lindsay yesterday. One was a Chinese and the other a young Portuguese girl.

The Hawaii Mill Co. has sued Alfred Andrade for possession of South Hilo lands with \$5,000. The sheriff's return says that Andrade left Honolulu on the last Alameda under the name of "Andrade Mackes."

Auditor Fisher has refused, under a Supreme Court decision, to issue warrants for the pay of A. W. Neely, S. K. Kamalopoli, C. M. White and G. E. Smith as election inspectors, they being salaried officials.

Two more burglaries have been reported to the police. On Saturday night James Lahuli's residence on Wilder avenue was entered and much clothing carried away. Miss Woods, a kindergarten teacher, also reported the loss of \$200 in gold, a gold watch and jewelry from her trunk. She lives on Vineyard street.

Former residents of San Francisco will be interested to hear of the death of Wm. Pitt Morehouse, up to about four years ago the best known police officer of that city. For twenty-five years Mr. Morehouse did duty at the corner of Kearney and Sutter streets where he saw that women and children crossed that busy thoroughfare unharmed. White-haired and bearded and with a good word and a smile for everyone the old policeman was one of the landmarks of the coast metropolis. He died suddenly at his home on Sacramento street of heart failure.

The orders to Admiral Glass' fleet to sail south from San Francisco to points along the Mexican coast were opportune in view of the political mutiny which broke out at Panama a fortnight later. A famous editor once described successful journalism as the art of knowing where hell would break out next and having a reporter on the spot. Uncle Sam seems to have had this principle in mind when he put a fleet on the spot.

The spectacle of National Committeeman Sam Parker on election day visiting the polls with Democratic National Committeeman Cornwell and Home Ruler Iaukea, and doing nothing to promote Republican success, would have interested the managers of the National Committee whom Parker is trying to influence against Carter and Dole.

A little vigorous Republicanism would do Maui good. The policy of surrendering everything to the enemy for the sake of peace, is peculiarly in favor on Maui with results which are seen in the election returns.

It is understood that J. W. Erwin, late postal inspector, has been completely vindicated by the testimony of others. Common justice to him will give back Mr. Erwin his old place and if it does, nobody will be better pleased than his friends in Hawaii.

"It was careless of me to say I admired Bacon," remarked the young woman with glasses. "Did you offend some Shakespearean student?" "No. It was a Chicago pork packer." He frigidly remarked that he did not care to talk shop.—Washington Star.

## Rheumatism

Is a rack on which you need not suffer long.

It depends on an acid condition of the blood, which affects the muscles and joints, causes inflammation and pain, and results from defective digestion and a torpid action of the liver, kidneys and skin.

Sciatica, lumbago and stiff neck are forms of it.

"Hood's Sarsaparilla has cured me of rheumatism. I was so I could not lift anything and my knees were so stiff I could hardly get up or down stairs. Since taking three bottles of Hood's Sarsaparilla I have never felt a symptom of rheumatism, and I gladly recommend Hood's for this disease." Mrs. HATTIE TURNER, Bolivar, Mo.

## Hood's Sarsaparilla and Pills

Neutralize the acidity of the blood, perfect digestion and excretion, and radically and permanently cure rheumatism.

## BUSINESS CARDS.

H. HACKFELD & CO., LTD.—General Commission Agents, Queen St., Honolulu, H. I.

F. A. SCHAEFER & CO.—Importers and Commission Merchants, Honolulu, Hawaiian Islands.

LEWERS & COOKE.—(Robert Lewers, F. J. Lowrey, C. M. Cooke.)—Importers and Dealers in lumber and building materials. Office, 414 Fort St.

HONOLULU IRON WORKS CO.—Machinery of every description made to order.

## HONOLULU STOCK EXCHANGE.

Honolulu, November 9, 1903.

NAME OF STOCK	Capital	Yd	Bid	Ask
MERCANTILE				
U. S. Bank & Co.	1,000,000	100		80-85
BONDS				
U. S. 4's	5,000,000	20	20	22
U. S. Agricultural Co.	1,000,000	100		200
U. S. Bank & Sug. Co.	2,812,750	100		50
U. S. Bank & Sug. Co.	2,000,000	100		50
U. S. Bank & Sug. Co.	750,000	100	95	145
U. S. Bank & Sug. Co.	2,000,000	20		20
U. S. Bank & Sug. Co.	500,000	100		100
U. S. Bank & Sug. Co.	800,000	100	107	21
U. S. Bank & Sug. Co.	2,500,000	50		10
U. S. Bank & Sug. Co.	100,000	100		85
U. S. Bank & Sug. Co.	500,000	100		100
U. S. Bank & Sug. Co.	3,500,000	20		4
U. S. Bank & Sug. Co.	3,000,000	100	90	95
U. S. Bank & Sug. Co.	1,000,000	20	30	10
U. S. Bank & Sug. Co.	500,000	100		100
U. S. Bank & Sug. Co.	5,000,000	20	10	10 1/2
U. S. Bank & Sug. Co.	100,000	100		100
MERCANTILE				
U. S. Bank & Sug. Co.	5,000,000	50		100
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U. S. Bank & Sug. Co.	750,000	100		100
U. S. Bank & Sug. Co.	2,750,000	100		100
U. S. Bank & Sug. Co.	4,500,000	100		100
U. S. Bank & Sug. Co.	700,000	100		100
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U. S. Bank & Sug. Co.	100,000	10		10
U. S. Bank & Sug. Co.	4,000,000	100		90
U. S. Bank & Sug. Co.	50,000	20		90
BONDS				
U. S. Govt. 5 p.c.			90	
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## On Shore and Facing Eastward

## SOUTHERN PACIFIC offers

Choice of Routes and  
Choice of Trains

"SHASTA ROUTE"—Oregon Express.

"OGDEN ROUTE"—New Overland Limited.

"SUNSET ROUTE"—Sunset Limited. Down California Coast. Crescent City Express via San Joaquin Valley.

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613 Market St., San Francisco.

Widow of Native Leader Will Organize All the  
Hawaiian Women in the Islands Into a  
Female Home Rule Party.

Mrs. Theresa Wilcox has decided to become the Joan of Arc of the Hawaiian race. To that end she will continue in politics and endeavor to bring the Home Rule party, the party of her late husband, into power.

It is the purpose of Mrs. Wilcox to immediately organize the Hawaiian women on all the islands into a political body to be known as the Hawaiian Women's Home Rule party. It will be a factor in influencing the votes of Hawaiians for whatever candidates may be put into the field at future elections. Mrs. Wilcox, however, reserving the right to back the best men for office put up by Home Rulers or Republicans.

This active woman politician will lose no time in settling about her task, and will begin with the island of Oahu, organizing the women first by districts and then subdividing the latter into precincts, each with its chairwoman. When the organization of Oahu is complete, Mrs. Wilcox will present the system, as a model, to the other islands. She is of the opinion that she will have no difficulty anywhere, and hopes to have several thousand women enrolled before the election campaign of next fall. Throughout her work of organization Mrs. Wilcox will make special efforts to show to the women and voters alike that during the campaign just ended she adhered strongly to the principle of electing the best men to office, by opposing certain nominations made by the Home Rulers and support, ing, in the face of the determined opposition of the Home Rule party, several candidates on the Republican ticket.

To carry on the work of Robert W. Wilcox, "the idol of the Hawaiian people," as Mrs. Wilcox accredits the dead leader, is the plan, in a nutshell, of Mrs. Wilcox.

"My husband died from over-exertion in politics," said Mrs. Wilcox yesterday, "but I will carry on the work planned by Mr. Wilcox. He was literally compelled to make a vigorous campaign in the last election much against his own and my wishes, but he had to listen to the voice of the people. In fact it would not have been right for him to be deaf to the call, for the people centered their hopes in him as their idol."

"Knowing the feeling of the people toward my husband I am going right ahead in politics, and will organize the Hawaiian women all over the islands into an adjunct of the Home Rule party, to help the party in its future campaigns. I intend to organize them by districts and then subdivide these into precincts, each to have its own chairwoman. After completing the organization of Oahu I will organize the women on the other islands."

"Oh, I will be president, of course. They have already asked me to be at the head of the league. When my husband lay here in state, the women said to me, 'You have been to Washington with your husband, you know Mr. Wilcox's plans, and you understand politics, and we want you to be our leader.' I said, 'I don't know whether I can,' and they said, 'Oh, yes, you must.' As my husband always obeyed the voice of the people, so will I. He was like an idol to the people. They worshipped him. No matter whether he was very sick at home here they called him out to the meetings for they wanted him, but they always reserved him as the last speaker, and that made him ill. He was at the Home Rule headquarters every day, sitting in meetings from ten to three, missing his lunch, and then when he got it, it was at restaurants. He should have come home for his meals, but he said it was so far away that it took too much time."

"I have always been interested in politics, and have always endeavored to do what good I could for the Ha-

waiian people. During the last legislature I tried my best to have the Loan Bill passed."

"In all matters of politics I have an idea that in doing anything it must be done by united action and not by fighting. In union there is strength, but it must be a union for the best principles or the best men. When the Home Rulers nominated Charley Booth for treasurer I had an idea that Eddie Damon would be the better person, as his father knows all about financing, and he could be depended upon to give his advice to his son."

"I am for good, capable men in politics. I don't believe in putting up men of no account, because they are likely to get mixed up while in office, and that alone would discredit the party at the succeeding election. I think my ideas are generally right, and therefore I don't care to fight against my own views. After the candidates were in the field people asked me, 'Shall we all vote for Booth, or for Damon?' I said, 'Mr. Damon is my candidate, and he is a good, capable man, and I advise you to vote for him,' and they did," she added with a smile of triumph.

"I had to work awfully hard. In the latter part of the campaign, the Home Rule speakers praised Booth, and I had an idea he was going to win after all, but he didn't, and I believe, therefore, I had a hand in electing Damon. I told the people I had put up Damon and I intended to stand up for him, and I did the same for Hocking. As for Mr. Gilman I advocated him in my paper, 'The County,' before he was nominated by the Republicans. I have known Mr. Gilman a long time, and know him to be a capable business man. Atherton advanced him, and Atherton knew a business man when he saw one."

"One thing more. I never go back on my word. People here know that, if they will take the trouble to judge me aright. I don't stand entirely on party lines, but I am for good men."

KAUAI HAS AN  
EVEN CHANCE

Are Close Favorites in Tomorrow's Polo Game.

The interest in Wednesday's polo match, the second of the series of three games, all of which are to be played in any event, is very general. The brace taken by the Kauai boys in the last half of Saturday's game has gained them many additional friends and despite their bad showing in the first period they are even favorites for the game tomorrow, while it is not exaggerating to say that Oahu players will be the first to cheer a victory for the Reds.

The Kauaians are having their ponies' shoes roughed to guard against the slipperiness of the field which to a considerable degree mitigated their bad showing in the first period.

An aftermathic and dispassionate view of Saturday's plays, shows Kauai weak in three distinct places. Their team work is still largely an ex-quantity, one more glaring fault being the rush of three men to the side lines after the ball, while the Oahu men knowing that the ball must return to the center, lined out in readiness to receive it.

They are all weak on back-stroking, attempting to deliver the play by a wrist circling rather than a clean stroke.

Arthur Rice, in whom the weakness counts for most, as well as the rest has no direction when hitting under his pony's neck, a very necessary faculty in the make up of a good back.

Their uncertain hitting in the first period was undoubtedly effected by the team, in the first place starting in with cold mounts on an unfamiliar field, being disconcerted by the rapidity with which the Oahu men, playing like

ROBERT  
WILCOX  
AT RESTLarge Funeral for  
Late Native  
Chieftain.

Robert W. Wilcox was buried yesterday afternoon mourned by the native population which turned out en masse to witness the ceremonies attendant to laying the remains away in the Catholic cemetery on King street. Thousands of people, nearly all Hawaiians, lined the streets on the line of march, crowding the curbs to watch the flag-draped casket drawn on the catafalque to its last resting place. All the pomp and ceremony that could be afforded by the Catholic church, both in its cathedral and at the grave, attended the funeral and the Hawaiians manifested their affection for their dead leader by weeping and wailing, and following the remains on foot to the cemetery. There were no spectacular incidents connected with the funeral, no native ceremonies being offered either at the cathedral or at the grave.

## CROWDS AT CATHEDRAL.

At 2 o'clock the cathedral grounds were crowded, a mass of humanity surging backward and forward impatient for the doors to be opened. The streets at the same time began to be fringed with people and by 3:30 the curbs were lined with dense crowds. At 2:30 an undertaker's wagon was driven into the cathedral premises and was stopped at the mauka entrance. The Hawaiians at once surged forward, crowding about the pallbearers as the casket was lifted from the wagon and borne through the entrance into the church. The casket was placed at the foot of the chancel steps and two tall lighted tapers were immediately placed beside it. The floral emblems were ranged on the chancel in a semi-circle, presenting a beautiful picture. An exquisite cross of plumerias adorned the altar. The altars and pulpit stand were covered with black-palls. The honorary and actual pallbearers ranged themselves in an oval several feet back from the casket.

## WITHIN THE CATHEDRAL.

The doors were then opened and for half an hour crowds surged up the main aisle, passed around the coffin, and again out of the cathedral. The coffin was handsomely draped with Hawaiian flags and floral wreaths. The face of the dead leader was not exposed. In a front pew near the casket sat the widow and her children. Dr. Walters, the physician who attended Mr. Wilcox, stood near the foot of the casket, the pallbearers occupying the oval were as follows: Honorary pallbearers: G. C. Beckley, Ella Long, Palmer Woods, C. P. Iaukea, Frank Harvey, David Nottley, J. H. Boyd, A. Fernandez, J. E. Bush, Sam Nowlein, C. W. Ashford, T. C. Polikapa; pallbearers: J. W. Biplikane, D. Damien, Chas. Nottley, D. Kalauokalani, Jr., J. M. Poepeo, R. N. Boyd, J. C. Lane, J. C. Prendergast, Wm. Mossman, Jr., A. A. Kina, William White.

## THE FUNERAL PROCESSION.

About 3:30 the organ pealed forth in the solemn strains of Cor Jesu, and as the choir sang the selection, Bishop Libert, accompanied by the acolytes, choir boys, censer bearers and cross bearer, entered the chancel and then descended the steps to the space occupied by the casket, where the impressive ritual of the church was said. The program in the church was as follows:

"Cor Jesu".....Choir  
Reading—"Non Intres".....Choir  
Solo—"When the Tears".....Fr. Valentin  
Libera—"Absout".....Choir  
"Miseremini".....Choir  
Finale—"In paradisum".....Choir

## POULAS DRAW FUNERAL CAR.

The casket was then borne from the cathedral and placed upon a funeral car draped in black, surmounted by a silver crucifix and adorned with black plumes. Instead of horses being attached, nearly four hundred poulas, or longshoremen, each attired in white trousers, black shirt and white cap, in command of Wm. Olepau, the longshoreman president, assisted by Hale Kahale, drew the car with cables. John Wise was to have acted as Marshal of the Day, but owing to indisposition this duty devolved upon Joe Clark.

It was an odd procession, the line being filled with Hawaiians. There were nearly a hundred old women in white holokus and straw hats, wearing Wilcox ribbons across their shoulders. The women of the Aloha Aina Society, all garbed in somber black, formed an interesting division of one hundred persons. Large delegations from the Hawaiian Benefit Society and the Home Rule party, with notable chiefs and chieftesses in carriages completed the procession. According to the published order of the procession thirteen princesses were in line.

## ANCIENT BAND PLAYED.

A reminder of the old days was the presence of Kau, Jack Kuamoo and Sam Kamakala, former members of the original Royal Hawaiian National band, who, with cornet, snare and bass drum, played the only music in the procession. The line of march was from the Roman Catholic cathedral, down Fort street to King, along King to the Catholic cemetery.

The order of procession was as follows, with the titles as given by those in charge of the arrangements:

Marshal of the Day.  
Platoon of Police.

S. C. Dwight, leader, and the Hul Hoonoonoo Olwe Hana.  
William Kalehula, leader, and the Hul Puuwal Aloha.  
Members of the Home Rule Party.  
Executive Committee of the Home Rule Party.  
Dr. Walters.  
Bishop Libert.  
Hul Poolas, under Wm. Olepau, drawing the hearse.  
Catafalque.

Honorary and Active Pallbearers.  
Princess Theresa Owana Wilcox, Prince Keoua Wilcox, Princess Kaohi Kamaehana Wilcox.  
W. S. Wilcox, Mrs. W. F. Sherratt and child.

Chas. Wilcox, wife and children.  
Mrs. Gohier, E. Wilcox and R. Wilcox.  
John Nabua.

Mrs. E. Johnson and Stone.  
William White and wife.  
Mrs. J. A. Akina and family.  
Sam Aki and family.

Mrs. Taylor.  
Rev. Mr. and Mrs. Manase.  
Mrs. Kahula Wilcox.

High Chiefess E. K. Kekaunaloakalani.  
High Chiefess Lucy K. Peabody.  
High Chiefess Kalani Kiekie Henriques.

High Chief A. K. Palekaluhi.  
Princess Mary Kunulakea.  
Princess Kekaunaloa.

Princess Hoonanea Simerson.  
Princess Malaea Kahaawelani.  
Princess Mary Kinole Ailau.

Princess Methau Beckley.  
Princess Kahapula Beckley.  
Princess Kahulu.

Princess Hannah Boyd and sister.  
Sam Kamalopili and wife.  
Princess Kahalelaulauka Booth.

Princess D. Howell.  
Princess Kalinonoo.  
President D. Kalauokalani and wife.

Vice-President J. P. Makinai and wife.  
Rep. D. M. Kupheha and wife.  
J. M. Kealoha and wife.

Members of the Legislature.  
Public.

The procession was met at the cemetery gate by the Territorial band under Capt. Berger, and the remains were escorted into the grave yard premises, those in the procession pausing within the grounds on each side of the walk. Between these lines the casket was carried to the grave. Bishop Libert officiated there, and the remains were laid away to their eternal rest.

DAN CUPID  
REIGNS ON  
THE LANAIS

Music, dancing and beautiful women made the Hawaiian Hotel lanais and premises a gay place last evening where the bands of the Twenty-Second U. S. Infantry and the Hawaiian Government gave concerts, complimentary to the army officers and ladies of the army transport Sheridan. The grounds were ablaze with red, white and blue electric lights and lanterns, and crowds of people, including hundreds of khaki-clad soldiers of the Twenty-Second, thronged the drives and invaded the lanais.

It was remarked that with so many brides in the Twenty-Second Infantry, the regiment has more beautiful women than almost any other in the army and that is saying a good deal. When the brass-buttoned officers and their brides entered the hostelry, the ladies radiant and blushing and attired in exquisite toilettes, there was a buzz of approval from all sides.

Emil Reichardt won popular heart by his leadership of the Twenty-Second Regiment band, and it is not over-praise to say that his is the best army band that has ever played here. The blending of the instruments was perfect, and the music was melodious and charming from first to last. The band has been brought to a high standard of excellence by its leader, who has had an army band experience extending over a score of years. Among the selections especially pleasing were Rubenstein's "Melodie in F," a selection from the "Prince of Eisen," and "La Rose de Castello." Each number was vigorously applauded.

The Hawaiian Government band under Captain Berger followed with a concert which was particularly enjoyable to the visitors, the local bandsmen appearing to the best advantage. Solomon's quintet club played upon the lanais, and later played for the dancing which continued until after midnight.

Throughout it was one of the most enjoyable musical evenings ever given here, and the compliment was thoroughly appreciated by the military officers and the ladies of the transport.

STONES HEAVED  
INTO TROLLEY CARS

Stone throwing at electric cars is becoming a pastime in certain quarters of the city and the attention of the police has been called to the matter.

On Saturday night a stone was thrown into a car as it passed Bethel street, narrowly missing Wm. Olepau, the Hawaiian Republican worker in the Fifth district, passing close to his head as well as that of his wife. The stone hurtled through the car striking one of the standards on the opposite side. Olepau believes the stone was thrown intentionally at himself by an unknown enemy.

Yesterday as a Wilder avenue car was passing a Portuguese store between Pihoko and Kewalo on its way toward town, a boy threw a stone which struck a passenger on his left knee. The police will look after the locality.

"I won't be good," said Willy. "Then Santa Claus won't bring you any presents." "Wasn't I bad last year, and didn't I get more than ever?"—Cincinnati Commercial Tribune.

HILO AT AN  
OLD GAMEWants to Cheat the  
Territory Out  
of Taxes.

HILO, Nov. 16.—There has been in Hilo and other places talk of holding out taxes due now until after the County Act goes into effect, when the same would be paid into the county treasury. Some quite heavy tax payers have said that they would willingly pay penalty for delinquency for the sake of saving the money for the county. The subject has evidently come to the ears of the Territorial officers at Honolulu, as Mr. Willough has received imperative orders to sue for taxes promptly on November 20.

This unusual order shows that Honolulu proposes to crowd the collections. The matter is of vital interest to Messrs. Geo. H. Williams and R. A. Lyman, who collect the taxes. They are paid in commissions and for the first ten months of the year the collections amount to little. It will therefore be seen that the Tax Collector will not be in sympathy with the scheme to hold out the taxes for the benefit of the counties.—Hilo Tribune.

## MEETING POSTPONED.

The executive committee of the Hawaiian Live Stock Breeders Association at a meeting held in Honolulu, October 28, passed the following resolution regarding the annual meeting which was to have been held in Hilo November 19:

"Resolved that the annual meeting be postponed to some date in the spring of 1904, because of the impossibility to get a full and satisfactory meeting at the place and on the date set, and also out of respect to Mr. Julian Montsarrat who because of his recent bereavement will be unable to take the principal part in the meeting planned."

A. F. JUDD.

## VOLCANO STILL ALIVE.

The Volcano is reported to be more active than ever. The latest reports are from the Volcano house, where the view is said to be very fine. Tuesday night the light over the mountain showed up very brilliant. The fire or reflection has not been visible from Hilo for some days owing to unfavorable cloudiness.

A party from the other side went up last Sunday and they report that the action in the crater as wonderful as ever was well worth the trip to see.—Hilo Tribune.

## PINEAPPLE PROSPECT.

Persons interested in pineapple culture in this district are inclined to erect a small independent cannery rather than contract with Mr. Bentley to sell fruit at one cent per pound. It is thought that sufficient capital can be raised here for this purpose. The proposition made by Mr. Bentley is not entirely satisfactory to the producers.—Herald.

## THE WAILUKU BRIDGE.

The stone work for the Wailuku bridge at Bridge street is completed. The Ashlar work will be begun next week. The structure will be thirty feet from the water line and will be ten feet higher than the town side of the old bridge.—Herald.

## GOVERNMENT CLAIMS IT.

The government has notified claimants of property on the makai side of Front street from the Mercantile Company's lumber office to, and including the Central Meat Market, that it will prove ownership to the property. This means that the street may be widened to eighty feet for almost its entire length.—Herald.

INVESTIGATION OF  
HOUSE VOUCHERS

U. S. Marshal E. R. Hendry leaves in the steamer Kinau today to serve subpoenas on the following named members of the House of Representatives, commanding them to appear before the Federal grand jury on Monday next, the 16th inst., in the matter of an investigation into the seasonal expenses of that body for the regular and special sessions of the Legislature of 1903:

William J. Wright, Hookena; F. R. Greenwell, Kailua; Sam. E. Kalama, Makawao; Chas. H. Pula and H. M. Kanoho, Kohala; A. Fernandez and W. N. Furdy, Honokaa; James D. Lewis and K. Kealawa, Hilo.

This will complete the service of subpoenas on all of the House members. Mr. Kalama has promised to meet the Marshal and accept service at one of the Maui landings. The others will be served by the Marshal at their homes within the round trip of the steamer.

"Bud" Rugan, the negro giant, is the tallest man ever seen in Owensboro, Ky., claiming to be eight feet nine inches in height. He can reach a distance of 119 inches from the tips of the fingers on one hand to the tips of the fingers on the other. His fingers are nearly eight inches long. "Bud" is 33 years old and for twenty years has been unable to walk. He is from Gallatin, Tenn., and until he was 13 years old worked in the fields.

PROTECT YOURSELF and family against attacks of pneumonia by securing at once a bottle of Chamberlain's Cough Remedy. If this remedy is taken on the first appearance of a cold all danger will be avoided. It always cures and cures quickly. Sold by all dealers and druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

CARTER AND COOPER  
DIFFER SHARPLY

(Continued from page 1.)

ough knowledge of the Territory's finances, including public obligations, in reply to statements by Mr. Carter. Mr. Carter brought up the Kahikuni, the Nakuina, and the Kaula transactions. With regard to the last, he accused Mr. Cooper of having been ready to let the land go for between \$14,000 and \$17,000 and had been surprised to receive a bid of \$20,000 for it at private auction. Mr. Carter's final complaint was that he had been led to infer that all of the land transactions on the program were to have been put through at that meeting.

The matter was ultimately referred back to Superintendent Cooper, on motion of Secretary Carter, for a more explicit statement of Aiea land value.

## BRIEF CALM.

Considerable time was taken up over maps with a discussion of leaseholds on Hawaii proposed to be given in fee simple to the Irwin interest in exchange for town property. There seemed to be such a dovetailing of old and new leases, at least in the minds of the parties to the discussion, as would take considerable investigation of the documents in question fully to explain.

The proceedings became so tame and were so unreportable without maps and diagrams that the representatives of the press one after another withdrew. It proved to be only a calm before a greater storm than the former one.

## WARM TIME.

Mr. Atkinson broke into the dry delving in the Parker ranch and Irwin sugar border lands with a motion to refer all of the land deals to a committee consisting of Secretary Carter and Commissioner Boyd. Dr. Cooper, another tired councillor, seconded the motion.

Superintendent Cooper protested against the proposal as shutting him out. Secretary Carter supported the motion on the ground that it was inexpedient to require the participation of unconcerned heads of departments in the discussion of such matters.

Then the storm broke. A member of the council says it was the warmest time he had ever witnessed in the council chamber. "It was not the Legislature," this informant says, "or there would have been names called."

Mr. Cooper said he had several matters to be concluded which had been approved at previous meetings. Among these matters he mentioned that he signed the contract on Saturday for completing the Diamond Head reservoir.

Mr. Carter was up in a moment, protesting vigorously against the act of the Superintendent of Public Works. The reservoir was one of the loan fund matters that he had expressly desired should be left to the new administration. He complained that Mr. Cooper had not complied with his request made last week for a complete statement of outstanding contracts.

Mr. Cooper argued in reply that the reservoir would be a revenue-producing addition to the water works.

Mr. Carter held it was purely a matter of the county, with which the Territory had nothing to do. The item was before the Legislature he discussed it with the Governor, and his recollection was of an understanding that it would be vetoed because the Territory should not pay for a county improvement.

Governor Dole did not recall any statements of the kind, and Mr. Carter said he could produce the copy of a letter he wrote to the President the following day, giving his view of the matter as now represented.

The upshot of the meeting was the deferring of all of the land exchange proposals. Unless a special meeting be called in the meantime, the probability is that the matters will become a legacy to the new administration.

## EXCHANGE OF VIEWS.

Late yesterday afternoon Secretary Carter wrote a note to Superintendent Cooper, recalling the latter's statement in council that the only contracts under the Loan Act were those for the Diamond Head reservoir and the storm sewer. Since the meeting, Mr. Carter wrote he had been informed by James A. Low, manager of the Honolulu plantation, about road work in Ewa for which Ewa and Oahu plantations and Mr. Low had paid advances under the assurance that they would be reimbursed from the loan fund. This information proved to the writer that the Government had no proper understanding of the obligations of the Territory. He again requested a showing of the financial status as a matter of great importance.

This letter was scarcely written until Manager Ballentyne of the Rapid Transit Co. waited on Secretary Carter to make an earnest representation to him of the desirability of completing the South street storm sewer. If work were stopped now, what had been done would be liable to destruction.

Mr. Carter, after exchanging views with Mr. Ballentyne, left his office for a few minutes. When he returned he showed some excitement as he informed an Advertiser reporter that Mr. Cooper had given him a reply to the effect that, so far as he (Cooper) was concerned, he (Carter) could obtain the information he desired about the status of the Territory when he took office as Governor and not before.

Having repeated the views of his former interview for the Advertiser the same day, regarding his objection to mixing Territorial and county affairs, Mr. Carter was asked if the Legislature had not specifically voted loan funds to the counties.

"I know the Legislature did so," the Secretary said, "but it had no right to do so. The counties are not obligated to pay one dollar, either principal or interest, of the loan. It is entirely an obligation of the Territory, and why should the benefits be donated to the counties. The Territory has abundant uses for the money."

Mr. Carter had the loan appropriation bill under his hand and pointed out the fractional sums in the footings to show that the Legislature had divided the loan fund among the counties pro rata with their estimated taxes respectively.

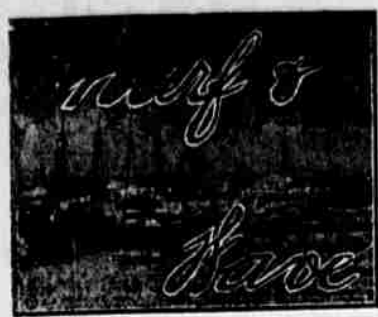






and the price has consequently gone upward. In the outlying sections, peddlers are asking 75 cents per dozen.





## ARRIVED.

Friday, Nov. 6.  
Stmr. Ke Au Hou, Tullett, for Kauai, ports, at 5:15 a. m., with 452 bags rice, 376 bags paddy, 25 pkgs. sundries.  
U. S. A. T. Logan, Stinson, from Manila and Nagasaki, at 7 a. m.  
S. S. Coptic, from San Francisco, at 3:30 p. m.

Saturday, November 7.  
Schr. Ada from Oahu ports, 7:15 p. m.

Stmr. Kaulani, Dower, from Kaunakakai, Kamalo and Puuko, 3 p. m.

Sunday, November 8.  
U. S. Army Transport, Sheridan, Peabody, from San Francisco at 7 a. m.

Stmr. Maui, Bennett, from Kahului, 5 a. m.

Stmr. W. G. Hall, Thompson, from Nawiliwili, 4 a. m.

Stmr. Iwawani, Mosher, from Kukuila, 5 a. m.

North German Lloyd training bark, Herzogin Sophie Charlotte, Zander, Bremen, Nov. 8.

Stmr. Ke Au Hou, Tullett, for Honolulu, at 5 p. m.

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## BISHOP RESTARICK TALKS OF CONDITIONS IN HAWAII

### Says Hawaiian People Seek Benefits of Annexation.

The Rt. Rev. Henry B. Restarick, D. D., Bishop of Honolulu, passed through New York last week on his way to the Pan-American Conference and the Missionary Council in Washington. The bishop kindly gave The Churchman an interview concerning the conditions prevailing in his home missionary district in the middle of the Pacific ocean. Naturally, one of the first questions asked referred to the attitude of the Hawaiians toward the annexation of the islands to this country.

"This," said Bishop Restarick, "is a delicate subject. It is difficult to answer it briefly and without qualifications. In order to understand the present situation, one should be familiar with a long chain of events, dating back several years, but about which I have not time to speak at present. It is true that a good many Hawaiians regret the annexation; many others, among them some of the most trusted and intelligent leaders, believe it to have been inevitable, though they would have preferred the establishment of a protectorate by the United States. While the advantage in being a part of a great nation like ours is recognized, there are some very practical and irritating disadvantages arising from the legal restrictions applied to the islands."

Q. What are some of these disadvantages?  
A. First, there is the question of labor. Prior to annexation the Chinese were freely admitted. Now they are rigidly excluded. They make a deplorable life. I may even say a necessary class of laborers for Hawaii. They are much to be preferred to the Japanese. Experiment has proved that white men do not work satisfactorily on the large sugar plantations, which constitute our chief industry.

Then, again, the Hawaiians not unreasonably deprecate the system by which all the custom revenues are forwarded to Washington. Last year these amounted to over a million and a quarter of dollars. Very little of this money returns to the islands in ways which the people can see and appreciate.

Finally, the extension to Hawaii of the shipping laws limiting coasting traffic to American vessels is most annoying. Honolulu is regarded as a coast port, like Norfolk, Charleston and Savannah, whereas it is in the very crossroads of the Pacific. Passengers from the United States, wishing to take passage on an American ship, Trans-Pacific passengers on foreign vessels may obtain a stop over of not more than sixty days, but they must continue their journey westward, and are not allowed to return to the United States. To take a specific instance. Last summer two ladies from Pennsylvania, who were journeying around the world, arrived in Honolulu from San Francisco on a Japanese steamer. While they were visiting us they received a cable announcing serious illness in the family and requesting immediate return. But, having reached the islands on a foreign steamer, they were forbidden to return to the United States via San Francisco. The only thing for them to do under our present law was to continue their trip westward across the Pacific to Japan, or pay a fine of \$200 each for the privilege of returning at once. When I came East I was obliged to leave Honolulu on an American vessel, although there were several foreign ships for San Francisco which would have been more convenient for me. The law, of course, was never originally intended to apply to Hawaii. I understand that next year it is to be extended to the Philippines.

Q. Are the islands commercially prosperous?

A. Not to the extent one would like to see. The prevailing low price of sugar has been responsible for a good deal of the commercial depression. Sugar is our great crop. We can produce it more cheaply than any other part of the world. The average yield per acre in a Louisiana plantation is two and one-half tons. We are steadily using more American manufactures. Our imports from San Francisco last year totalled about \$18,000,000. If we can have a satisfactory adjustment of the labor question, the purchasing power of the islands will be largely increased and that in turn will mean a greater demand for American made goods and more employment for labor in the United States.

Q. Has the transfer of ecclesiastical jurisdiction from the English to the American Church been well received?

A. Decidedly yes. Bishop Nicholson handled the difficult question with the greatest wisdom and delicacy. The Church people were enthusiastic in the reception they gave me and the help they arrived in Honolulu with me, a year ago last August. Hawaiians, Americans and English—all alike have been most cordial. The spirit of harmony and unity is steadily deepening. The clergy whom I found in the islands have been working loyally with me and the others whom I have been able to secure from the States. Then, too, the present representatives of the old missionary families of the Congregational church have welcomed me warmly. One of them said to me soon after my arrival: "I do not believe that any one in the islands rejoices at your coming more than I do."

Q. You find a good many evidences of the good done by those pioneer Congregationalists?

A. Yes, indeed. They were a fine set of men and their work deserves high praise; their contribution to the welfare of the islands and the people has been beyond calculation. I hope not to be misunderstood in saying that they seem to have made some mistakes in trying to graft the staunch Puritan ideals, in which they had been trained, upon the native life. I think their own children recognize this today. But, however this may be, the fact remains that they were pioneers of morality, civilization and

religion. They established schools and newspapers in Hawaii before there were any of either in the United States west of the Mississippi.

Q. How large is the white element in the population?

A. About one in twelve. The Americans predominate, with British subjects next in number, and some Germans. Of the Asiatics the Japanese and Chinese are most numerous, but people from many parts of the East come to us. As an illustration of our mixed population, I was much impressed recently in noting at a celebration of the Holy Communion in the cathedral, Americans, English, Australians, Hawaiians, Chinese, Japanese and one Negro from the Church mission in West Africa.

Q. How extensive is the Church work?

A. We have churches and missions for the white people in all the large islands. In all these congregations we have Hawaiians. All Hawaiians except the very old people, speak English. Some of our most devout communicants are of this race. In Honolulu and a number of other points we have encouraging work among the Chinese. For the 7,000 Japanese we have as yet done but little, but I hope before long to secure the aid of a native clergyman from the Church in Japan. This work among Orientals is of vast importance. They are chiefly of the farming class, not from the slums of the cities, as is usually the case with the Chinese in the States. They bring their wives with them and their families are reared in the islands; the children attend schools where English is taught. They are well treated by the planters, and as a rule they gladly receive Christian instruction. The result is, that when they return to their native land, as a good many do, they carry back entirely new and higher ideals and they help in so small way to interpret the West to the East. We have native Christians of the Honolulu Church in several parts of Asia and from all reports they are living faithfully and are decidedly influencing their environment.

Q. Do you find the English-speaking people in the islands in sympathy with your work among the Chinese and others?

A. Entirely so. They know something of the results of missions, and they give liberally. One man gives me \$100 a year for each of two places and \$240 for a third. Another entirely supports a Chinese Bible-woman for work among the Chinese. They help me support the schools and, in addition to that, they give last year fifty per cent. more than the appropriation to the district by the Board of Managers for general missions.

Q. St. Andrew's cathedral, I understand, is but partly built. Do you expect to complete it soon?

A. Plans to that end are now under way. The building as it is at present is too small for our Sunday congregations. The people have taken up the project with much interest, and I think we shall be able to provide locally all the money necessary.

Q. You spoke of the school work. What is being done in that direction?

A. We have a number of day schools, a night school and an industrial school for the Chinese—all in Honolulu. Their higher in grade, come the St. Andrew's Priory School, with its one hundred girls, over eighty of them Hawaiians, and Iolani College for Hawaiian and Chinese boys and young men. When I mention Iolani, I am reminded at once of a plan I hope to carry out shortly. This school occupies at present the "Old Stone House" which was the boyhood home of General Samuel C. Armstrong, the founder of Hampton Institute. The house stands in a fine two-acre lot, immediately adjoining our cathedral and school property. For the present, I rent it. We ought to buy it, but the amount needed, \$25,000, is beyond our ability, particularly in view of the large amount we are about to spend in enlarging the cathedral.

Q. Was General Armstrong born in Honolulu?

A. No; but he was born on the island of Maui, where his father was a Congregational missionary. Later the family moved to Honolulu. In 1869 young Armstrong came to the United States, determined to devote his life to the service of God and men. In one sense he was a product of foreign missions. He was Hawaii's great gift to this country. It seems fitting, therefore, that as the Church is now so strongly established in Honolulu we should endeavor to commemorate General Armstrong's great service to the United States in some worthy way. I want to buy this "Stone House," and the ground on which it stands, for the permanent home of Iolani College and make the institution a memorial to General Armstrong. The property fronts on Berea street, the principal thoroughfare, and here, where all may see it, I want to erect a memorial gateway to Hawaii's great son. Dr. Booker T. Washington, who is largely the product of General Armstrong's teaching and influence, on hearing of my plan, wrote me that he could think of nothing which would have pleased General Armstrong so much as to have his old home used for the education of Hawaiian youth.

Q. Have you received much encouragement in the carrying out of this project?

A. All our Church people in Honolulu are in favor of it, and my many friends among the old Congregational missionary families have expressed their gratitude that we should wish to commemorate in this way the one man of whom, more than any others, they are proud. From people in this country, both before and since my coming, I have received assurances of deep interest and co-operation.

Q. You feel confident of the future of the Church in the islands?

A. Unqualifiedly so. How could it be otherwise when I look back and see how much has been accomplished in the last year and a half? I have seen in Ha-

## TWO FOUND NOT GUILTY

### More Talk Before Hagey Case Nonsuit.

M. G. Simoes, whose case was a test of the constitutionality of the Hawaiian liquor laws, was sentenced by Judge Gear yesterday morning to pay a fine of \$200.

FOR CURSING POLICEMAN.

Kahapea was tried for profanity before Judge Gear. The offense consisted in abusive language toward E. K. Devauchelle, a police officer, in the discharge of duty. Deputy Attorney General Peters prosecuted and C. F. Peterson defended the case. The following jury was accepted:

L. R. A. Hart, F. J. Robello, J. H. Davis, J. L. Aholo, J. B. Pakela, N. J. H. Hips, D. F. Thrum, W. H. Hoogs, J. P. Makinai, W. M. Bush, Sol. Kaolewa and George Woolsey.

The jury retired to consider its verdict about 3:15 p. m. and returned in a quarter of an hour with a verdict of not guilty, upon which defendant was ordered discharged, his bond cancelled and his surety dismissed.

CONFESSION OF WITNESS.

Louis Dumas was next put on trial for assault with a weapon obviously and imminently dangerous to life upon one Vasconcellos. The weapon was a baseball bat. L. M. Straus assisted the prosecution, while S. F. Chillingworth appeared for the defendant. The following jury was accepted:

E. Norrie, E. H. Paris, E. K. Rathburn, C. E. Lomon, D. Kawananakoa, A. A. Montano, W. A. Hall, J. D. Cockett, Theo. Wolff, Chas. Spencer, J. Clark and G. W. Hayselden.

Under cross-examination Vasconcellos, the prosecuting witness, admitted he interfered with a ball game and confessed that at different times he had been arrested for violating the laws.

A verdict of not guilty was returned.

BUILDING SUIT.

Pang Chong, doing business as Yee San Tie, vs. W. Kelce, defendant, and Pioneer Building & Loan Association, garnishee, assumpsit for \$700 with legal interest from November 3, 1900, came on for trial before Judge De Bolt yesterday. Castle & Withington and W. L. Whitney for plaintiff; Robertson & Wilder for defendant and garnishee. The following jury was empaneled:

E. R. Adams, E. McCriston, George Cypher, Charles Butzke, I. Levinson, C. E. Frasher, Benito Guerrero, E. E. Mossman, P. M. Lucas, E. H. F. Wolter, W. H. Thornton and John Kuaana.

When the plaintiff had rested at 2:40 p. m., the hearing was continued until 9:30 this morning. This was owing to the absence of the defendant, who is a mail carrier. Mr. Robertson informed the court that he could not subpoena the defendant without making himself liable to the penalty for stopping the United States mails.

COMPLAINT DEFECTIVE.

Judge De Bolt sustained the demurrer in the suit of Wilmerding Loewe Co. vs. Lawrence H. Dee, allowing the plaintiff ten days within which to file an amended complaint. A. H. Crook appeared for plaintiff, and Smith & Lewis for defendant. The suit is to recover \$2500 damages for alleged breach of promise to pay a balance of \$2025.65 after an accounting between the parties. The demurrer was on the grounds that no term of court was mentioned in the complaint, that the complaint was addressed to no court nor to any judge, that there was no prayer for a jury or a process and that the complaint did not state facts sufficient to constitute a cause of action.

DAMAGE SUIT ENDED.

A discontinuance was filed yesterday in the action for false imprisonment brought by Peter High against Emmett May and Robert Parker. The plaintiff claimed \$5000 damages for wrongful imprisonment for thirty minutes.

INSURANCE TEST CASE.

Robertson & Wilder have filed a bill of exceptions for defendant in the case of Kwong Lee Yuen & Co. vs. Manchester Fire Insurance Co. This is one of the Chinatown fire cases. Besides exceptions to various rulings in the course of the trial, the crucial one is to the incident stated as follows:

"That both parties having rested and the case being closed, the court directed a verdict for the plaintiff for the amount sued for, with legal interest, on the ground that the evidence disclosed the fact that the fire was started in premises not within the limits as ordered by the Board of Health, and that although the fire was started by the government fire department it could not be held to be a fire directly or indirectly resulting from the order of a civil authority, and that therefore the order relied on by the defendant could be no defense in this action."

The defendant appeals from the directed verdict for the plaintiff for \$907.25 and from Judge De Bolt's refusal to grant a motion for a new trial. Several other insurance cases depend on the determination of this one.

HAGEY CASE NONSUITED.

Judge Robinson abated his declared intention of Friday last to grant the motion of defendants in the Hagey case contract case for a nonsuit, to the extent of hearing more argument at

the request of the plaintiff yesterday morning. Nevertheless, after an hour or two of supplementary argument, he granted the motion and ordered the discharge of the jury. Mr. Robertson for the plaintiff entered exceptions to the ruling of the court.

COURT NOTES.

The jurors in the Hagey case were excused for the term. Judge Robinson's remaining twelve jurors of the old panel and fourteen of the special venire will appear this morning. The Supreme Court did not have any hearings yesterday. It will sit again this morning.

G. H. Pahia petitions, as only son, for letters of administration on the estate of his late father, Kahalaui, consisting of \$499.50 in bank.

CALLING OF CASES.

At 9 o'clock a. m. tomorrow, Judge De Bolt will call the following cases for the purpose of having them set down as ready for trial, or for other disposition, viz: Goo Wan Hoy vs. Samuel Kaai; Wheeler, Osgood & Co. vs. L. B. Kerr & Co., Ltd.; Manufacturers' Shoe Co., Ltd., vs. John F. Colburn; J. H. Fisher vs. S. Kubeys and F. Goudie; J. O. Carter vs. K. Kalkinahaole, et al.; A. W. Carter, Administrator, vs. W. F. Allen; Puukii Hanapi, et al., vs. Honolulu Plantation Co., Ltd.; Cecil Brown vs. J. W. A. Redhouse; B. S. Gregory vs. L. B. Kerr, Deft., W. M. Campbell, garnishee; Henry Loo Kong vs. Lai Sai; Hawaiian Trust & Investment Co. vs. Annie Barton, et al.; Young In Quon vs. Mar Yim; L. L. McCandless vs. Wainenui (w), et al.; Samuel Kaahu vs. Kaunahu Naopepe; John Emmeluth, Trustee; vs. Mary E. Foster; Manoel D. Silveria vs. L. Aholo; Jose Furtado vs. W. C. Achi, et al.; Inter Island Telegraph Co. Ltd., vs. Henry W. Howard; Henry Smith vs. Hamakua Mill Company; Yim Jin Kong et al., doing business as Sing Chan Co., vs. Loe Sal Hing, doing business as Shun Lung Yuen Kee; John H. Estate, Ltd., vs. Territory of Hawaii; Kapolani Estate, Ltd., vs. Territory of Hawaii; William G. Irwin vs. Territory of Hawaii; Solomon Kauai vs. Territory of Hawaii; J. O. Carter et al., Trustees, vs. Territory of Hawaii (5 cases); Nanie R. Rice vs. Territory of Hawaii; Kaneohe Ranch Co., vs. Territory of Hawaii; Oahu R. & L. Co. vs. Territory of Hawaii; B. Cartwright, Trustee, vs. Territory of Hawaii; Anna Perry, et al., vs. Territory of Hawaii; Bruce Cartwright, Trustee, vs. Territory of Hawaii (2 cases); John De Fries vs. Territory of Hawaii; Liliuokalani vs. Territory of Hawaii; L. L. McCandless vs. Territory of Hawaii; Mary Lucas vs. Territory of Hawaii; Abigail K. Campbell et al., Trustees, vs. Territory of Hawaii.

All cases in which the parties have answered ready will be taken up for trial in their order when reached regardless of the manner of the disposition of preceding cases.

ANOTHER WAY TO TELL ANN'S AGE

Editor Advertiser: "Rock of Ages" obtains the correct result in his solution of the Many Ann problem, given in this morning's edition, but I beg leave to submit the following solutions as somewhat more lucid.

Problem: Mary is 24 years old. She is twice as old as Ann was when Mary was as old as Ann is now. Find Ann's age now.

Let x equal the number of years which have passed since the time when Mary was as old as Ann is now:  
Ann was then 12 years old;  
Then 12 plus x equals Mary's age then;

But Mary was then as old as Ann is now.  
Therefore, 12 plus x equals 24 minus x;  
2x equals 12;  
x equals 6;  
12 plus 6 equals 18, Ann's age now.

Or again:  
Let x equal Ann's age now:  
Then x minus 12 equals the number of years which have passed since Mary was as old as Ann is now;

And 24—(x—12) equals Mary's age at that time. But Mary was then as old as Ann is now.  
Therefore, 24—(x—12) equals x;  
2x equals 36;  
x equals 18—Ann's age.

Respectfully,  
HIGH SCHOOL.

Nov. 9, 1903.

IROQUOIS BRINGS WHALEN'S CREW

The Iroquois, Captain Rodman, returned early yesterday morning from Midway with the crew of the wrecked schooner Julia E. Whalen. The Iroquois made no attempt to reach the Connetable de Richmont at the French Frigate shoals, Admiral Terry having cabled Captain Rodman of the failure of the Kaula to do anything with the wreck.

Captain Keeney, master of the Whalen, says that his boat was caught in one of the circular storms which are an aftermath of a Pacific typhoon. The Whalen was overloaded and started to leak through her seams when several days from Midway. The cabin was full of water during the whole trip. The Whalen was badly damaged before she struck. Captain Keeney was asleep at this time, having gone to sleep after sixty hours' watch. As he heard the cry "breakers ahead" he rushed on deck and grabbed the wheel. The wheel fell off in his hands. The crew was panic stricken and the captain was compelled to threaten the men with a revolver to keep them from taking the ship's boat. Captain Keeney says it was only by a miracle that the crew was saved in the heavy sea. The schooner and her cargo were a total loss. There was no sign of the wreck at the time Captain Rodman arrived with the Iroquois.

BY AUTHORITY

PUBLIC LANDS NOTICE.

Commissioner of Public Lands.

A land license for a period of 50 years, to collect, divert and sell the surface water and power produced therefrom, upon and from the public lands, situate on the Island of Hawaii and lying between the sea on the north; Waipio Valley on the East; Waipio Valley and the boundary line between the lands of Laupahoehoe 1 and 2, Nakooka, Apua, Waikapu and Honoupe on one side and the lands of Puukapu and Kawaihae 1, on the other side, until such line reaches an elevation of 4,200 ft., thence a contour line of 4,200 ft. elevation to Honokane on the South, and the land of Honokane and the private land of Awini on the West, subject to existing vested rights of private parties in such waters, will be offered at Public Auction on Monday, November 30, 1903, at 12 o'clock noon, at the front entrance of the Judiciary Building.

Persons competing at this sale will bid upon the rate per cent. of the net revenues of the enterprise carried on under such license, to be paid annually to the Government of the Territory of Hawaii, from and after the third year of the term of such license.

A bond of \$10,000 will be required on surety satisfactory to the Government, conditioned on the due performance of the requirement that \$10,000 be expended on construction within 18

FORECLOSURES

KAMAUNU ESTATE.

MORTGAGEE'S NOTICE OF INTENTION TO FORECLOSE AND OF SALE.

Notice is hereby given that under and by virtue of the power of sale contained in that certain Indenture of Mortgage dated the 8th day of January, A. D. 1898, executed, acknowledged and delivered by Kamauna Hanalei, as mortgagor, and joined in by Naakauna Kamauna, his wife, in token of her release of dower, both of Lahaina, Island of Maui, to the Pioneer Mill Company, Limited, a corporation created, existing and doing business under the laws of the Territory of Hawaii, Mortgagee, said mortgage having been given to secure the payment of Three Hundred, Forty and one-half (\$340.50) Dollars, drawing interest at the rate of seven per cent per annum, payable semi-annually, and now to be sold because of the non-payment of said principal sum and interest thereon due, which said mortgage is recorded in lib. 179, at pages 10 and 11, in the office of the Registrar of Conveyances, at Honolulu, and which is still held and owned by the said Pioneer Mill Company, Limited, the said Mortgagee intends to foreclose said mortgage for condition broken, that is to say: for non-payment of the principal sum therein named, and for non-payment of interest, as by the terms of said mortgage secured.

Notice is likewise given by said Mortgagee, the Pioneer Mill Company, Limited, that, after the expiration of three (3) weeks from the date of this notice, to-wit, on Saturday, the 14th day of November, A. D. 1903, at twelve o'clock noon of said day, said mortgaged property, for the reasons hereinabove stated, will be sold at public auction, at the entrance to the court house at Lahaina, Maui, (at which place the December terms of the Circuit Court of